

Congressional Record

SEVENTY-FIFTH CONGRESS, THIRD SESSION

SENATE

TUESDAY, APRIL 5, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate, pursuant to the order entered Friday last, met in executive session, on the expiration of the recess, at 12 o'clock meridian.

THE JOURNAL

On request of Mr. HAYDEN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, April 1, 1938, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts and joint resolution:

On March 31, 1938:

S. 1759. An act to amend an act entitled "An act to eliminate the requirements of cultivation in connection with certain homestead entries," approved August 19, 1935; and

S. 2339. An act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), as amended.

On April 2, 1938:

S. 1570. An act consenting to an interstate compact between the States of Minnesota, South Dakota, and North Dakota relating to the utilization of, the control of the floods of, and the prevention of the pollution of the waters of the Red River of the North and streams tributary thereto.

On April 4, 1938:

S. 1945. An act to authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Federal Indian irrigation projects wholly or partly Indian, and to lease the lands in such reserves for agricultural, grazing, and other purposes; and

S. J. Res. 277. Joint resolution creating a special joint congressional committee to make an investigation of the Tennessee Valley Authority.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Capper	Hale	Logan
Andrews	Caraway	Harrison	Loneragan
Bailey	Clark	Hatch	Lundeen
Bankhead	Connally	Hayden	McAdoo
Berry	Copeland	Herring	McCarran
Bilbo	Davis	Hill	McGill
Bone	Duffy	Hitchcock	McKellar
Borah	Ellender	Holt	McNary
Bridges	Frazier	Hughes	Maloney
Brown, Mich.	George	Johnson, Calif.	Miller
Bulkeley	Gerry	Johnson, Colo.	Milton
Bulow	Gibson	King	Minton
Burke	Gillette	La Follette	Murray
Byrd	Green	Lee	Neely
Byrnes	Guffey	Lodge	Norris

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O'Mahoney
Overton
Pittman
Pope
Radcliffe
Reames

Reynolds
Russell
Schwartz
Sheppard
Shipstead
Smathers

Thomas, Okla.
Thomas, Utah
Townsend
Tydings
Vandenberg
Van Nuys

Walsh
Wheeler
White

Mr. GIBSON. I announce that my colleague the senior Senator from Vermont [Mr. AUSTIN] is unavoidably detained from the session today. I ask that this announcement stand for all quorum calls and votes during the day.

Mr. MINTON. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from New Hampshire [Mr. BROWN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DIETERICH], the Senator from Florida [Mr. PEPPER], and the Senator from Missouri [Mr. TRUMAN] are detained from the Senate on important public business.

The Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], and the Senator from Illinois [Mr. LEWIS] are unavoidably detained.

The Senator from New York [Mr. WAGNER] is absent, attending a meeting of the Constitutional Convention in New York.

The Senator from Arizona [Mr. ASHURST] and the Senator from Washington [Mr. SCHWELLENBACH] are absent because of illness.

The Senator from South Carolina [Mr. SMITH] is detained in his State on official business.

Mr. McNARY. I announce that the Senator from Pennsylvania [Mr. DAVIS] is necessarily absent from the Senate.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

APPOINTMENTS OF INVESTIGATING COMMITTEES

Mr. PITTMAN obtained the floor.

The VICE PRESIDENT. Will the Senator from Nevada permit the Chair to make a unanimous-consent request of the Senate?

Mr. PITTMAN. Certainly.

The VICE PRESIDENT. The Chair asks unanimous consent that, as in legislative session, he may lay before the Senate the appointments to special committees created to make certain investigations. Is there objection? The Chair hears none, and the clerk will read the appointments.

COMMITTEE TO INVESTIGATE TENNESSEE VALLEY AUTHORITY

The legislative clerk read as follows:

The Chair appoints the Senator from Ohio [Mr. DONAHEY], the Senator from New Hampshire [Mr. BROWN], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from Oregon [Mr. McNARY], and the Senator from Idaho [Mr. BORAH] as the members on the part of the Senate of the Special Joint Congressional Committee to Investigate the Tennessee Valley Authority, created under Senate Joint Resolution 277, approved April 4, 1938.

COMMITTEE TO INVESTIGATE CIVIL-SERVICE SYSTEM

The legislative clerk read as follows:

The Chair appoints the Senator from Louisiana [Mr. ELLENDER], the Senator from Kentucky [Mr. LOGAN], the Senator from Colorado [Mr. JOHNSON], the Senator from Vermont [Mr. AUSTIN], and the Senator from Minnesota [Mr. LUNDEEN] as the members of the Special Committee to Investigate the Administration of the Civil-Service System, authorized by Senate Resolution 198, agreed to April 1, 1938.

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EBERT K. BURLEW

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Ebert K. Burlew to be First Assistant Secretary of the Interior?

Mr. PITTMAN. Mr. President, as a member of the Committee on Public Lands and Surveys, I spent several weeks in examining voluminous records touching the qualifications of Mr. Burlew for appointment. I realize that I had very little support from the committee in the matter.

I wish to say that I do not desire to criticize any of my colleagues in this matter. If I have said anything critical, I wish to withdraw it. I realize fully, as well as anyone, that each Senator has a right to determine for himself what is to the best interests of his State, and what his actions should be with regard to the Secretaries of the various departments. I know the pressure upon Senators, and I do not blame them if they think certain action on their part would result in injury to the interests of their States, either as to patronage, projects, or appropriations. I simply will not yield to Executive domination to obtain favors.

I have shown, in four cases, gross neglect of duty. I have shown favoritism. I have shown efforts to keep men in office who undoubtedly were proven to be criminals.

It is constantly contended that Mr. Burlew is not to blame for these things. I desire once more to read his duties and obligations, as certified by the Secretary of the Interior to the Classification Board of the Civil Service Commission. Let me read this:

As administrative assistant to execute such special assignments as may be directed by the Secretary, requiring organization ability, discretion, and administrative judgment; to give attention to business methods of bureaus and institutions to bring about uniformity of practice and simplified procedure.

These, among many other things, were his duties. He was also created Budget Director for the purpose of supporting the estimates of the various departments. He was also made the personnel officer to look after the efficiency and integrity of the personnel in the various bureaus.

I also read this. In his biography, prepared by himself, he states:

Baldwin detectives, Philadelphia and Roanoke, Va., 2 years.

I read further from the testimony of Mr. Kelliher, in which he said:

He said he rather meant that the agents, when conducting investigations in the field, were wont to play the part of "gumshoe" detectives. He said that he couldn't see the necessity of such procedure, inasmuch as he used to be a detective himself in West Virginia.

Testimony has been had before the Civil Liberties Committee by Mr. McKee, and it was published in the magazine of the United Mine Workers, in which he gave the whole history of the Baldwin-Felts activities against labor during the period of 15 years. The directory, and the history of the matter, and the hearings before other committees show that the Baldwin Detective Agency, under W. G. Baldwin, has operated for thirty-odd years against organized labor in this country, in West Virginia and Pennsylvania, particularly in the coal fields. Everyone knows that agency. Everyone knows exactly what the detective work was in the State of West Virginia. While it was called the Baldwin Detective Agency until W. G. Baldwin died along about 1913, it is the same agency under the name of the Baldwin-Felts Detective Agency. I call attention to that fact, because it is a matter well known to many Members of this body.

The time for a vote has arrived, and I shall desist from any further debate.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Ebert K. Burlew to be First Assistant Secretary of the Interior? [Putting the question.] By the sound the ayes seem to have it.

Mr. PITTMAN. I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The ayes have it, and the Senate advises and consents to the nomination.

LEGISLATIVE SESSION

Mr. HAYDEN. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed legislative session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 2698. An act to set aside certain lands in Oklahoma for the Cheyenne and Arapahoe Indians;

S. 3105. An act to amend the Commodity Exchange Act, as amended, to extend its provisions to wool tops; and

S. 3304. An act to promote air commerce by providing for the closing of Military Road.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2904) for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BEITER, Mr. GILDEA, and Mr. JENKS of New Hampshire were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7104) for the relief of the estate of F. Gray Griswold, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BEITER, Mr. O'MALLEY, and Mr. CLASON were appointed managers on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8993) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1939, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. UMSTEAD, Mr. THOM, Mr. SCRUGHAM, Mr. FERNANDEZ, Mr. CASEY of Massachusetts, Mr. DITTER, and Mr. PLUMLEY were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9915) to amend the Agricultural Adjustment Act of 1938, and for other purposes.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 7534. An act to protect the telescope and scientific observations to be carried on at the observatory site on Palomar Mountain, by withdrawal of certain public land included within the Cleveland National Forest, Calif., from location and entry under the mining laws;

H. R. 7874. An act to provide for the leasing of State, county, and privately owned lands for the purpose of furthering the orderly use, improvement, and development of grazing districts;

H. R. 8780. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes," approved September 2, 1937, to the District of Columbia or any Territory or possession of the United States;

H. R. 9257. An act to extend the time for completing the construction of a bridge across the St. Clair River at or near Port Huron, Mich.;

H. R. 9286. An act to extend the time for completing the construction of a bridge across the Ohio River at or near Cairo, Ill.;

H. R. 9605. An act to provide for a commissioned strength of 14,659 for the Regular Army;

H. R. 9722. An act to amend section 5 of an act entitled "An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the district of Alaska, and for other purposes," approved January 27, 1905 (33 Stat. 616);

H. R. 9816. An act to amend the act entitled "An act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes," approved August 27, 1935 (Public, No. 351, 74th Cong.), and for other purposes;

H. R. 10055. An act to amend section 5d of the Reconstruction Finance Corporation Act, as amended, to authorize loans to public agencies, to provide credit facilities for business enterprises, and for other purposes;

H. J. Res. 613. Joint resolution to provide for the temporary operation by the United States of certain steamships, and for other purposes; and

H. J. Res. 627. Joint resolution providing an additional appropriation for the Civilian Conservation Corps for the fiscal year ending June 30, 1939.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 1355. An act for the relief of Lawrence E. Thomas;

H. R. 3657. An act for the relief of Albert Pina Afonso, a minor;

H. R. 3776. An act for the relief of T. T. East and the Cassidy Southwestern Commission Co., citizens of the State of Texas;

H. R. 4221. An act for the relief of John M. Fuller;

H. R. 4229. An act for the relief of Clifford Belcher;

H. R. 6061. An act for the relief of Mary Dougherty;

H. R. 6232. An act for the relief of Frank Christy and other disbursing agents in the Indian Service of the United States;

H. R. 6467. An act for the relief of the Portland Electric Power Co.;

H. R. 7676. An act for the relief of the Complete Machinery & Equipment Co., Inc., and others;

H. R. 8432. An act to provide for a flowage easement on certain ceded Chippewa Indian lands bordering Lake of the Woods, Warroad River, and Rainy River, Minn., and for other purposes;

H. R. 8654. An act to amend the act entitled "An act authorizing the Secretary of the Treasury to convey to the city of Wilmington, N. C., Marine Hospital Reservation," being chapter 93, United States Statutes at Large, volume 42, part 1, page 1260, approved February 17, 1923;

H. R. 8714. An act authorizing the State of Maryland, by and through its State roads commission, or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State;

H. R. 8885. An act for the benefit of the Goshute and other Indians, and for other purposes;

H. R. 9418. An act to amend an act entitled "An act authorizing the Secretary of the Treasury to convey to the Board of Education of New Hanover County, N. C., portion of marine-hospital reservation not needed for marine-hospital purposes," approved July 10, 1912 (37 Stat. 191);

H. R. 9915. An act to amend the Agricultural Adjustment Act of 1938, and for other purposes;

H. J. Res. 499. Joint resolution authorizing the erection of a memorial to the late Guglielmo Marconi; and

H. J. Res. 594. Joint resolution directing the Federal Trade Commission to investigate the policies employed by manufacturers in distributing motor vehicles, accessories, and parts, and the policies of dealers in selling motor vehicles at retail, as these policies affect the public interest.

DETAIL OF ARMY AND NAVY OFFICIALS TO AID CERTAIN FOREIGN GOVERNMENTS

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read,

and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States of America:

I transmit herewith a report by the Secretary of State recommending the enactment of legislation for the purposes described therein.

The recommendations of the Secretary of State have my approval and I request the enactment of legislation for the purposes indicated.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, April 5, 1938.

[Enclosures: (1) Draft bill, (2) report.]

REPORT OF FEDERAL RESERVE BOARD

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Board of Governors of the Federal Reserve Board, transmitting, pursuant to law, the report of the Board for the calendar year 1937, which, with the accompanying report, was referred to the Committee on Banking and Currency.

EXPENDITURES AND CONTRACTS MADE BY CERTAIN EXECUTIVE DEPARTMENTS

The VICE PRESIDENT laid before the Senate a letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on expenditures and contracts made by certain executive departments and agencies in violation of law; which, with the accompanying report, was referred to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of Arkansas, which was referred to the Committee on Finance:

Whereas there is now pending before the Congress of the United States, a bill known as the universal-service bill, the purpose of which is to provide for equal conscription of industry, resources, and manpower in time of war, and to prevent huge wartime profits in certain industries: Now, therefore, be it

Resolved by the House of Representatives of the Fifty-first General Assembly of the State of Arkansas in its first extraordinary session (the senate concurring therein), That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the universal-service bill now pending in the United States Congress.

That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and the Speaker of Representatives of the United States by the secretary of state.

The VICE PRESIDENT also laid before the Senate a letter from the Secretary of War, transmitting copy of a resolution adopted by the Provincial Board of the Province of Ilocos Norte, Philippine Islands, protesting against any plan for the independence of the Philippine Commonwealth which does not include trade reciprocity with the United States, which, with the accompanying papers, was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution adopted by the International Executive Board of the American Newspaper Guild protesting against certain alleged discriminatory actions of the Senate Committee on Commerce in its investigation of labor conditions in the United States merchant marine, which was referred to the Committee on Commerce.

He also laid before the Senate a resolution adopted by the City Council of Chicago, Ill., favoring the enactment of legislation to prevent the use of group insurance policies and pension agreements to discriminate in employment against men who have reached the age of 35 and over, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Finnish Women's Clubs of the Minnesota-Wisconsin district, protesting against the enactment of the bill (S. 25) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense, and promote peace, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Federal grand jury, sitting at Chicago, Ill., for the December term of court, 1937, favoring the enactment of legislation imposing mandatory life sentences upon defendants three times convicted of violations of the existing narcotic laws, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Finnish Women's Clubs of the Minnesota-Wisconsin district favoring the enactment of House Joint Resolution 527, amending the Neutrality Act in reference to the trade of the United States with aggressor nations in foreign wars, which was referred to the Committee on Foreign Relations.

He also laid before the Senate petitions of members of the Patriotic Order Sons of America, of Binghamton, N. Y., and Parkersburg, Pa., favoring the enactment of legislation for the immediate cessation of all immigration, which were referred to the Committee on Immigration.

He also laid before the Senate a resolution adopted by the Deep Sea and Purse Seine Fishermen's Union of the State of California, favoring the enactment of House bill 8430, to construct the great T-tunnel project connecting San Pedro, Wilmington, Terminal Island, and Long Beach, Calif., which was referred to the Committee on Military Affairs.

He also laid before the Senate petitions of sundry citizens of the United States, praying for the enactment of legislation to provide pay increases and other benefits to the personnel of the United States Military Establishment, which were referred to the Committee on Military Affairs.

He also laid before the Senate a resolution adopted at a meeting of the Citizens-Taxpayers Association, of Westerly, R. I., favoring a "Buy American" campaign as a means of aiding employment, which was referred to the Committee on Education and Labor.

He also laid before the Senate a memorial of Local 45, State, County, and Municipal Workers of America, of New York City, N. Y., remonstrating against any legislative attempt to weaken the effective functioning of the National Labor Relations Board, which was referred to the Committee on Education and Labor.

He also laid before the Senate a letter in the nature of a memorial from Mrs. J. Buhring, of New York City, N. Y., remonstrating against the enactment of legislation to reorganize the executive departments, which was ordered to lie on the table.

Mr. BILBO presented the following concurrent resolution of the Legislature of the State of Mississippi, which was referred to the Committee on Post Offices and Post Roads:

Senate concurrent resolution memorializing the President and the Congress of the United States to aid us in our road-paving program

Be it resolved by the Senate of the State of Mississippi (the house of representatives concurring therein), That—

Whereas the Legislature of the State of Mississippi, realizing the importance of a hard-surfaced highway program, and realizing that good roads throughout the Nation is imperative at this time; and

Whereas, to show our appreciation of such highway program, even though the State of Mississippi is one of the poorest States in the Union, they have just passed a bill calling for a bond issue of \$60,000,000 to be paid for over a period of 25 years for the purpose of having good roads in Mississippi; and

Whereas we feel like the National Government would like to have a part in the building program just launched by the Legislature of the State of Mississippi; and

Whereas it has been the policy of the President of the United States to try to get the people of the various States employed; and Whereas there is no better way, as we see it, than that of building State highways: Therefore be it

Resolved, That we do hereby petition the President of the United States and the Congress of the United States to aid us in this final program in a way similar to that in which they aided us in our past program of paved highways, and we do hereby solicit the President and the Congress of the United States to match our funds in the same way as they have matched them in the past and by so doing the State of Mississippi will be able to hard surface all the main trunk lines in the State, calling for the employment of a great number of additional people of the State and rendering it possible for tourists and other people to travel over the highways of the State of Mississippi; be it further

Resolved, That the secretary of the senate be instructed to mail a copy of this resolution to the President of the United States, to each of our two United States Senators, and our Representatives in the Congress of the United States.

REPORTS OF COMMITTEES

Under authority of the order of the Senate of the 1st instant, Mr. HAYDEN, from the Committee on Appropriations, to which was referred the bill (H. R. 9621) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1939, and for other purposes, reported it, on April 4, 1938, with amendments and submitted a report (No. 1566) thereon.

Under authority of the order of the Senate of the 1st instant, Mr. COPELAND, from the Committee on Appropriations, to which was referred the bill (H. R. 9995) making appropriations for the Military Establishment for the fiscal year ending June 30, 1939, and for other purposes, reported it, on April 4, 1938, with amendments and submitted a report (No. 1565) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (S. 3171) for the relief of William Server Rhodes, chief boatswain's mate, United States Navy, retired, reported it without amendment and submitted a report (No. 1568) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 3713) to authorize an increase of 1,271 officers for the Regular Army, made necessary by increases in enlisted personnel and numbers and types of aircraft, reported it without amendment and submitted a report (No. 1569) thereon.

Mr. GEORGE, from the Committee on Finance, to which was referred the bill (H. R. 9725) to liberalize the provisions of existing laws governing death-compensation benefits for widows and children of World War veterans, and for other purposes, reported it without amendment and submitted a report (No. 1570) thereon.

Mr. O'MAHONEY, from the Committee on Public Lands and Surveys, to which was referred the resolution (S. Res. 250) to investigate the questions of the feasibility of enlarging Grand Teton National Park in Wyoming, reported it with an amendment, submitted a report (No. 1571) thereon, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

A bill (S. 3778) to add certain lands to the Fremont National Forest; to the Committee on Agriculture and Forestry.

By Mr. BERRY:

A bill (S. 3779) for the relief of certain persons at certain projects of the Farm Security Administration, United States Department of Agriculture; to the Committee on Claims.

By Mr. VANDENBERG:

A bill (S. 3780) to extend the time for completing the construction of a bridge across the St. Clair River at or near Port Huron, Mich.; to the Committee on Commerce.

By Mr. FRAZIER:

A bill (S. 3781) for the relief of the International Oil Co., of Minot, N. Dak.; to the Committee on Claims.

A bill (S. 3782) for the relief of John K. Kennelly; to the Committee on Indian Affairs.

By Mr. NEELY:

A bill (S. 3783) for the relief of Ruth Floyd Jacokes; to the Committee on Claims.

By Mr. REYNOLDS:

A bill (S. 3784) for the relief of Ire E. Rhinehardt; to the Committee on Military Affairs.

By Mr. GEORGE:

A bill (S. 3785) for the relief of The Fitzgerald Leader; and A bill (S. 3786) for the relief of The Ocilla Star; to the Committee on Claims.

By Mr. WALSH:

A bill (S. 3787) awarding a Navy Cross to Hector Mercado; and

A bill (S. 3788) to authorize Lt. Robert M. Morris, United States Navy, to accept the decoration tendered him by the

Government of Finland in appreciation of services rendered; to the Committee on Naval Affairs.

A bill (S. 3789) to authorize the conveyance of the Mattapoissett (Ned Point) Lighthouse Reservation at Mattapoissett, Mass., to the town of Mattapoissett; to the Committee on Commerce.

(Mr. BILBO introduced Senate bill 3790, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. WHEELER:

A bill (S. 3791) granting a pension to John Yuhas; to the Committee on Pensions.

By Mr. BURKE:

A bill (S. 3792) granting a pension to Margaret A. Redfield; to the Committee on Pensions.

By Mr. BAILEY:

A bill (S. 3793) to amend section 313 of the Federal Power Act, with respect to rehearings and court review of orders or findings made under such act; to the Committee on the Judiciary.

By Mr. SHEPPARD:

A bill (S. 3794) to provide more effectively for the National Defense by increasing the authorized enlisted strength of the Air Corps of the Regular Army; to the Committee on Military Affairs.

By Mr. JOHNSON of California:

A bill (S. 3795) to grant to the State of California a retrocession of jurisdiction over certain rights-of-way granted to the State of California over a certain road about to be constructed in the Presidio of San Francisco Military Reservation; to the Committee on Military Affairs.

A bill (S. 3796) granting a pension to Mary Harrington Niblack; to the Committee on Pensions.

By Mr. DUFFY:

A bill (S. 3797) for the relief of C. G. Bretting Manufacturing Co.; to the Committee on Claims.

By Mr. THOMAS of Utah:

A bill (S. 3798) to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937; to the Committee on Education and Labor.

By Mr. McCARRAN:

A joint resolution (S. J. Res. 282) providing an additional appropriation for the Civilian Conservation Corps for the fiscal year ending June 30, 1939; to the Committee on Appropriations.

CONTROL OF FLOODS ON MISSISSIPPI RIVER

Mr. BILBO. Mr. President, I introduce a bill for reference to the Committee on Commerce, and ask that it be printed in full in the RECORD.

There being no objection, the bill (S. 3790) to amend the act entitled "An act to amend the act entitled 'An act for the control of floods on the Mississippi River and its tributaries, and for other purposes,' approved May 15, 1928," approved June 15, 1936, was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the act entitled "An act to amend the act entitled 'An act for the control of floods on the Mississippi River and its tributaries, and for other purposes,' approved May 15, 1928," approved June 15, 1936, is hereby amended so that the Chief of Engineers, irrespective of all other provisions of law, is hereby authorized, in his discretion, to locate intakes and to provide adequate diversions into the Morganza floodway and into the Eudora floodway and its northern extension; to fix, in his discretion, the dimensions of and the conditions of flow into the said Morganza floodway and into the said Eudora floodway and its northern extension; to construct all needed works to facilitate flow within the said floodways and extension, and to acquire, in his discretion, fee simple title to lands in the said floodways and extension rather than flowage easements: *Provided*, That all lands, easements, and rights-of-way wherever located which, in the opinion of the Secretary of War and the Chief of Engineers, are needed in carrying out this authorization may also be acquired in accordance with the provisions of the said act of May 15, 1928.

Mr. BILBO. Mr. President, I desire to make a brief statement explaining the provisions of the bill I have just introduced.

First. Merely divorcing Morganza and Eudora will not provide for the construction of Morganza or Eudora as now recommended by the Chief of Engineers.

Second. All agree that the intake at Morganza must be materially lowered to give substantial relief in the vicinity of Natchez, as the Chief of Engineers and the president of the Mississippi River Commission both state that unless modified the floodways would not be used in a 1937 flood.

Third. I have introduced an amendment that will give the Chief of Engineers the right to construct the Morganza floodway and the Eudora floodway in accordance with any modification he may deem necessary to insure the proper functioning of both floodways. I have no objection to the construction of the Morganza first. I am merely insisting that both be authorized in the same bill and am willing to leave to the engineers the order of construction, only insisting that both be properly constructed, and that both be authorized.

Fourth. My bill gives the Chief of Engineers the power to narrow the Eudora diversion and to take as little land as possible. I favor both Eudora and Morganza but the people have been misled long enough. Unless both are modified they cannot serve the purpose intended. I understand that Morganza would be constructed first. I am merely insisting that the Government make provision for the construction of Eudora in the discretion of the Chief of Engineers, and leave the time and manner of construction to him and to the president of the Mississippi River Commission.

Fifth. I am following the Corps of Engineers at both Morganza and Eudora in their engineering recommendations. I am willing to leave both projects to the Chief of Engineers, but I am sick and tired of the people in the vicinity of Natchez being misled when all engineers now agree that merely separating Morganza and Eudora will not do the job. If the flood of 1937 had come in May instead of January untold damage would have been done to crops in the Natchez area.

Sixth. My bill, which may be inserted as an amendment to the bill of the Senator from Louisiana [Mr. OVERTON], would leave the time and method of construction at both Eudora and Morganza to the president of the Mississippi River Commission and the Chief of Engineers. My bill will compensate the people of Louisiana and Arkansas for all damages in floodways and between the front levee and the back protection levee in the fuse plug section. The floodway in the middle section has been delayed since 1927. The people in Arkansas, as well as in Mississippi and Louisiana, should be willing to give the Chief of Engineers and the President of the Mississippi River Commission full discretion as to the time and method of construction, with full compensation for all damages sustained.

TAX REVISION—AMENDMENTS

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 9682) to provide revenue, equalize taxation, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. HAYDEN submitted an amendment intended to be proposed by him to the bill (H. R. 9682) to provide revenue, equalize taxation, and for other purposes, which was ordered to lie on the table and to be printed.

FAIR TRADE AND REEMPLOYMENT—ADDRESS BY SENATOR BULKLEY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address entitled, "Fair Trade and Reemployment," delivered by Senator BULKLEY at the dinner of the American Fair Trade League, New York, April 4, 1938, which appears in the Appendix.]

LABOR RELATIONS—ADDRESS BY SENATOR BURKE

[Mr. BURKE asked and obtained leave to have printed in the RECORD an address delivered by him on March 31, 1938, on the subject "Labor Relations," which appears in the Appendix.]

PHILOSOPHY OF FAIR TRADE ACTS—ADDRESS BY SENATOR MILLER

[Mr. BULKLEY asked and obtained leave to have printed in the RECORD an address delivered by Senator MILLER at

the Fair Trade League dinner at the Astor Hotel, in New York City, on Monday, April 4, 1938, on the subject The Philosophy of the Fair Trade Acts, which appears in the Appendix.]

ADDRESS BY SENATOR LONERGAN AT UNITED STATES NAVAL ACADEMY

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address delivered by Senator LONERGAN at the United States Naval Academy, Annapolis, Md., on April 3, 1938, which appears in the Appendix.]

REORGANIZATION OF EXECUTIVE DEPARTMENTS—LETTER FROM SENATOR HOLT

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter written by him in reply to a letter from a West Virginia citizen on the subject of the bill proposing to reorganize the executive departments, which appears in the Appendix.]

THE DOMESTIC-ALLOTMENT PLAN FOR COTTON—SPEECH BY SENATOR LEE

[Mr. LEE asked and obtained leave to have printed in the RECORD excerpts from a speech delivered by him in the Senate on December 9, 1937, in relation to the domestic-allotment plan for cotton, which appears in the Appendix.]

MERCHANT MARINE PROBLEMS

[Mr. COPELAND asked and obtained leave to have printed in the RECORD a speech delivered by Admiral Emory S. Land, Chairman of the United States Maritime Commission, before the Port of Philadelphia Maritime Society on Thursday, March 31, 1938, which appears in the Appendix.]

TAXATION OF A CONNECTICUT INDUSTRY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an article appearing in the Hartford (Conn.) Courant on March 18, 1938, which appears in the Appendix.]

AWARD OF NIEMAN FELLOWSHIPS TO ALABAMIANS

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD a news item and three editorials relative to the award of Nieman fellowships to Osburn Zuber and Herbert Lyons, Jr., of Alabama, which appear in the Appendix.]

INVESTIGATION OF TENNESSEE VALLEY AUTHORITY—TEXT OF JOINT RESOLUTION

Mr. NORRIS. Mr. President, after having been requested two or three times to furnish a copy of the CONGRESSIONAL RECORD containing a correct printing of the joint resolution providing for the investigation of the Tennessee Valley Authority, I found to my surprise, upon investigation, that it was not printed in the RECORD as passed by the House with amendments. I therefore ask unanimous consent that the resolution, as finally agreed to and as signed by the President, be printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 277) creating a special joint congressional committee to make an investigation of the Tennessee Valley Authority, as finally passed and signed by the President, was ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 277

Resolved, etc., That for the purpose of obtaining information as a basis for legislation there is hereby created a special joint congressional committee to be composed of five Senators to be appointed by the President of the Senate and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. A vacancy on the joint committee shall be filled in the same manner as original appointments and shall not affect the power of the remaining members to execute the functions incumbent on the joint committee.

Sec. 2. It shall be the duty of the joint committee to make a full and complete investigation of the administration of the Tennessee Valley Authority Act of 1933, as amended, including the following, but not excluding any other matters pertaining to the administration and policies:

(a) The efficient and economical administration of the act as amended by the Board of Directors of the Tennessee Valley Authority and any of its subordinates.

(a) (2) The total Federal sums appropriated by the Congress or allocated by the President to the Muscle Shoals project and the Tennessee Valley Authority, and also allocations made to power, navigation, flood control, or otherwise, and the cost charged to power recoverable to the Treasury of the United States.

(b) Any interference or handicaps placed in the way of the prompt, efficient, and economical administration of its functions by internal dissension among members of the Board of Directors of the Tennessee Valley Authority and what effect such dissension, if any, has had upon the work of the Authority.

(c) Whether any member of said Board has held office or is holding office in violation of the act creating the Tennessee Valley Authority; and whether any member of said Board has aided or assisted directly or indirectly any private power company or other private interest in the institution or defense of suits and injunctions affecting the administration of the functions of the Tennessee Valley Authority.

(d) Whether, and if so what, suits have been instigated by any private power company or other private interest seeking injunctions against the activities of the Board; and what effect, if any, such injunctions or suits have had upon the administration of the act according to its terms; what disposition has been made of any such injunction suits and what has been the expense incurred by the Tennessee Valley Authority in defending them; what disposition has been made of such suits in any superior court to which they have been appealed; and what if any has been the loss of revenue to the Authority on account of such suits.

(e) Whether any financial loss has been caused to municipalities or farm organizations by preventing their purchase of electric power from the Tennessee Valley Authority.

(f) What has been the effect, if any, upon the personnel and organization perfected by the Board under said act by the prosecution of such injunction suits or by the action of any member of the Board in giving aid or assistance to any private power company or other private interest in connection therewith.

(g) What activities there have been, if any, on the part of any private power company or other private interest in attempting by the expenditure of money or otherwise, the institution of legal proceedings or other means or methods to affect the action or decisions of municipalities or farm organizations in the Tennessee Valley Authority with respect to the purchase of electric power from the Authority.

(h) What efforts, if any, have been made by private power companies or other private interests to affect the decisions or actions of municipalities or farm organizations with respect to the purchase of power from the Authority or acquiring title to their distributing systems.

(i) Whether and to what extent, if any, have the public interests been injured or jeopardized by the activities of any private power companies or other private interests in attempting to prevent the Board from executing the provisions of said act.

(j) Whether or not said Authority has complied with that part of subsection (a) of section 8 of such act, as amended, which requires that the principal office of the Authority be maintained in the immediate vicinity of Muscle Shoals, Ala.

(k) Whether the charges made by Chairman Arthur E. Morgan that an attempt to defraud the Government of the United States has been made in connection with purchase of certain lands are true; whether the affairs of the Authority had been conducted in a clandestine manner frequently without the knowledge or presence of the Chairman; whether by action of the majority members the Chairman has not had opportunity to present his views before congressional committees.

(l) Whether the Tennessee Valley Authority has exhibited partiality to large corporations by supplying power at a cheaper rate than available to municipalities and corporations, by contracting for long periods of time a large majority of available hydroelectric power and by including in such industrial contracts provisions tantamount to a secret rebate in that delivery of "secondary" power is provided during the season of the year when only "firm" power is available from Tennessee Valley Authority dams.

(m) Whether the Authority has complied with that part of section 14 of the Tennessee Valley Authority Act, as amended, which requires (a) that the Tennessee Valley Authority should have submitted to Congress on January 1, 1937, its allocation of costs to the various activities under its control up to that time, and (b) that the Tennessee Valley Authority submit in each annual report thereafter its similar allocation of costs for the period covered in its report.

(n) Whether the Authority has interfered with the Comptroller General's audits of the Authority required to be submitted annually to Congress under section 14 of the act as amended.

(o) Whether it has offered unfair inducements to industrial organizations to leave their established locations to settle within the Tennessee Valley Authority territory.

(p) Whether it has forced rural customers to purchase expensive, unnecessary, and undesired electrical appliances under threat of refusing to supply electricity, and actually to have permitted potential customers to make heavy investments in appliances after which service was refused until further purchases were made of unnecessary and undesired electrical appliances.

(q) Whether by accounting methods and cost charges applicable to private industry the electric rates of the Authority provide a legitimate, honest "yardstick" of equitable rates of private industry.

(r) Whether extravagance, mismanagement, and illegal conduct, if any, by the Board has dissipated funds appropriated to the Tennessee Valley Authority.

(s) Whether sodium nitrate could not be produced by the air-reduction method by all Tennessee Valley Authority power plants and sold to the farmers of the Nation at a cost less than the present domestic market prices of imported sodium nitrate.

SEC. 3. The committee shall report to the Senate and House of Representatives as soon as practicable but not later than January 3, 1939, the results of its investigation, together with its recommendations, if any, for necessary legislation. If Congress shall not be in session at the time such report shall be made, the report shall be filed with the Secretary of the Senate and the Clerk of the House of Representatives. The committee or any duly authorized subcommittee thereof is hereby authorized to sit at such times and in such places in the District of Columbia or elsewhere as it may deem necessary and proper in the performance of its duties and during recesses and adjournments of Congress, or either House. It is specifically authorized to require the attendance of witnesses by subpoena or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, clerical and other assistants; and to employ stenographers at the cost not to exceed 25 cents per hundred words.

The chairman of said committee or any member of a subcommittee may administer oaths to witnesses and sign subpoenas for witnesses which shall be served by any person designated by such chairman or member of a subcommittee.

The joint committee is authorized to have such printing and binding done as may be necessary and to make such expenditures as it deems advisable within the appropriation hereby authorized. Every person duly summoned by such joint committee or subcommittee thereof who refuses or fails to obey the summons or who fails to answer the questions pertinent to the investigation shall be punished by law. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (relating to examination and testimony of witnesses) shall apply with respect to any person who is summoned as a witness under authority of this joint resolution.

The expenses of such investigation not exceeding in the aggregate of \$50,000 shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the joint committee.

The chairman of the joint committee shall be selected by the joint committee. All hearings, orders, or decisions held before or made by the joint committee shall be public. The joint committee is authorized to utilize the services, information, facilities, and personnel of any department or agency in the executive branch of the Government in the performance of its duties.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, notified the Senate that the Speaker had appointed, pursuant to the provisions of Public Resolution 83, Seventy-fifth Congress, Mr. MEAD, Mr. DRIVER, Mr. THOMASON of Texas, Mr. JENKINS of Ohio, and Mr. WORTON members on the part of the House of the Special Joint Congressional Committee to Investigate the Tennessee Valley Authority.

The message announced that the House had agreed to the amendment of the Senate to the bill (H. R. 7836) to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such act are applicable.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 29), as follows:

Resolved by the Senate (the House of Representatives concurring). That the action of the Speaker of the House of Representatives and of the President of the Senate in signing the enrolled bill (H. R. 7158) to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended, be, and it is hereby, rescinded; and that the House of Representatives be, and it is hereby, requested to return to the Senate the engrossed bill.

The message returned to the Senate, pursuant to Senate Concurrent Resolution 29, the engrossed copy of the bill (H. R. 7158) to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended.

The message further announced that the House had passed a bill (H. R. 9659) to amend an act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes," approved August 7, 1916, in which it requested the concurrence of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 7534. An act to protect the telescope and scientific observations to be carried on at the observatory site on Palomar Mountain, by withdrawal of certain public land included within the Cleveland National Forest, Calif., from location and entry under the mining laws; and

H. R. 7874. An act to provide for the leasing of State, county, and privately owned lands for the purpose of furthering the orderly use, improvement, and development of grazing districts; to the Committee on Public Lands and Surveys.

H. R. 8780. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937, to the District of Columbia or any Territory or possession of the United States; to the Committee on Agriculture and Forestry.

H. R. 9257. An act to extend the time for completing the construction of a bridge across the St. Clair River at or near Port Huron, Mich.;

H. R. 9286. An act to extend the time for completing the construction of a bridge across the Ohio River at or near Cairo, Ill.;

H. R. 9659. An act to amend an act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes," approved August 7, 1916; and

H. J. Res. 613. Joint resolution to provide for the temporary operation by the United States of certain steamships, and for other purposes; to the Committee on Commerce.

H. R. 9722. An act to amend section 5 of an act entitled "An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the District of Alaska, and for other purposes," approved January 27, 1905 (33 Stat. 616); to the Committee on Territories and Insular Affairs.

H. R. 9816. An act to amend the act entitled "An act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes," approved August 27, 1935 (Public, No. 351, 74th Cong.), and for other purposes; to the Committee on Public Buildings and Grounds.

H. J. Res. 627. Joint resolution providing an additional appropriation for the Civilian Conservation Corps for the fiscal year ending June 30, 1939; to the Committee on Appropriations.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. HAYDEN. I move that the Senate proceed to the consideration of House bill 9621, being the Interior Department appropriation bill.

Mr. HOLT. Mr. President—

The VICE PRESIDENT. The clerk will state the bill by title.

The CHIEF CLERK. A bill (H. R. 9621) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1939, and for other purposes.

Mr. HOLT. Mr. President—

The VICE PRESIDENT. The question is on the motion of the Senator from Arizona [Mr. HAYDEN].

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. HOLT. Mr. President—

Mr. HAYDEN. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. HOLT. Mr. President—

The VICE PRESIDENT. The Senator from West Virginia.

Mr. HOLT. Under the rules of the Senate, this bill must lie over one day. I was on my feet requesting that that be done when the Chair put the question.

Mr. HAYDEN. Mr. President, the RECORD will show that the majority leader, the Senator from Kentucky [Mr. BARKLEY], requested and obtained unanimous consent that the committee report the bill in recess, in order that it might be considered today; and that action has been taken.

Mr. HOLT. Consent was given that it be reported; but, according to the calendar, this is the legislative day of January 5, and therefore the bill must lie over until another legislative day.

The VICE PRESIDENT. The Senator from West Virginia makes the point of order that the bill must lie over 1 day, and states that he was on his feet asking for recognition at the time the Chair put the unanimous-consent request. Probably the Chair sometimes is a little bit too rapid. He thinks the Senator ought to have his day in court.

The Senate gave unanimous consent that the bill be reported from the committee during the recess of the Senate. That really does not obviate the rule; but undoubtedly the Senator making the unanimous-consent request had in his mind the idea that the appropriation bill could be considered today, provided the report was made.

We have not had a new legislative day since January 5. When a Senator asks consent that a report may be made during a recess, it undoubtedly is in his mind that by virtue of the Senate giving unanimous consent that the report may be made it is contemplated that the bill will be taken up on that legislative day.

The Chair thinks he will let the Senate decide whether or not, when that unanimous consent is given on a certain legislative day, it means that the Senate, by virtue of giving unanimous consent, also consents to the consideration of the bill.

Mr. McNARY. Mr. President, I am not wholly advised as to the mental attitude of the Vice President; but in all fairness, I think we should go forward with the two appropriation bills.

I conferred last week with the Senator from Kentucky [Mr. BARKLEY], the leader, and with the Republican members of the committee; and it was understood that in order to expedite the session—which it is hoped may be concluded at an early date—and in view of the recess we had from Friday until today, if unanimous consent was given to file reports on these bills, we would take up the bills today. Whether we call it a legislative day or a calendar day, an adjournment or a recess, I feel morally bound to insist, so far as I am concerned, that the Senate go forward with what we thought in good faith we were doing and take up the appropriation bills.

Mr. McKELLAR. That certainly was the understanding of the Senate when unanimous consent was given.

The VICE PRESIDENT. The Chair has just stated that that undoubtedly was in the minds of Senators; but remember, Senators, that unanimous consent is frequently given for the consideration of bills when some Senator is not in the Chamber, and he may come in later and invoke the rule. When unanimous consent is given on a certain legislative day that a committee may report a bill during a recess, with the idea that the Senate shall consider it on the next day, the Chair wants the Senate to determine whether or not it means that to include a calendar day. The Chair is going to submit the question to the Senate.

The Senator from West Virginia makes the point of order that the bill cannot be considered at this time because one legislative day has not intervened. The question is, Will the Senate sustain the point of order?

Mr. HOLT. Mr. President, I see no particular reason why the Senate should override a definite rule, which the Vice President admits is the rule of the Senate and which there is no question that I am within my rights in invoking at this particular time. Therefore I hope the Senate will sustain the rule. It is a violation of the rule to take up the bill without its having been reported for at least 1 day.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. HOLT. I am glad to yield to the Senator from Arizona.

Mr. HAYDEN. The Senator will concede, however, that in making the unanimous-consent request the majority leader had in mind a calendar day and not a legislative day. Otherwise, if he had had any other thought in mind, he

would have moved that the Senate adjourn, so that we would have actually had a legislative day coinciding with the calendar day.

There is no other business of importance before the Senate at this time. If we cannot act upon the appropriation bills today, the advice given me by the majority leader was that we should adjourn until tomorrow, when we are to take up the revenue bill; and if that should be done these two appropriation bills, which it is very important to pass, would be delayed until after the consideration of the revenue bill. That would mean a week or more of delay, depending upon the debate upon the revenue bill, which I imagine will be rather extensive.

For that reason I think we should follow the common sense of the situation, which is that we now have an opportunity to work, that a day is usually understood to be a calendar day, and that is what the Senate had in mind. If the Senate so votes, that will be the action taken.

A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HAYDEN. How would a Senator vote if he wished to vote to carry out the unanimous-consent agreements?

The VICE PRESIDENT. He would vote to overrule the point of order made by the Senator from West Virginia.

Mr. HAYDEN. Would he vote "yea" or "nay"?

The VICE PRESIDENT. He would vote "nay."

Mr. McNARY. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. When the matter was before the Senate for rather informal consideration on Friday there was an agreement generally, and some free discussion, that by reason of our taking a recess from Friday until today consent would be given to file a report, and usually that is followed by an order made based on that consent. May I ask whether in this instance an order was made agreeing that if a report were filed the bill would come up today as a regular order?

The VICE PRESIDENT. There is no agreement that the bill shall be taken up today. There was an order adopted by the Senate that certain reports might be made.

Mr. McNARY. Mr. President, morally and in good faith we ought to proceed to the consideration of these appropriation bills, but, in the face of the statement of the Vice President that no order was made based on the consent to file a report, I think we fly in the face of the rule, and if an objection were made I should have to support the objection.

The VICE PRESIDENT. If the Senator will permit the Chair to make a statement, he has often called the attention of the Senate to its rules. If there were a rule that when unanimous consent is given for the filing of a report on a bill it carries with it the idea that it may be considered on the same legislative day and not go over to another calendar day; that would be one thing, but there is no such rule as that. The result is that unless unanimous consent to that effect is obtained at the same time unanimous consent is given for the making of a report, the rule still applies.

Mr. McNARY. I fully agree with the Vice President in his statement so far as application of the rule goes, but I should have to support the view that we could take the matter up today only under a renewed unanimous-consent agreement. In good faith to those present we ought to proceed to the consideration of the bill.

The VICE PRESIDENT. Does the Senator from West Virginia withdraw his point of order?

Mr. HOLT. Mr. President, I should like to ask the Senator from Arizona whether it would be possible to take up every other amendment in the bill except the one relating to the National Bituminous Coal Commission. If so, we would get the bill out of the way except as to that one particular amendment, and we could let that go over and allow the bill to be passed over and take it up later. It could be passed in a very short time tomorrow.

I withdraw my point of order against taking up the bill, if that is agreeable, because I have no reason in the world to prevent the Senate from considering the bill.

Mr. HAYDEN. The agreement would be that we dispose of everything in the bill except the amendment relating to the Bituminous Coal Commission.

Mr. HOLT. Yes.

Mr. HAYDEN. Then we could proceed to the consideration of the Army appropriation bill for the remainder of the afternoon after laying aside the Interior Department appropriation bill?

Mr. HOLT. Yes.

Mr. HARRISON. May I ask the Senator from West Virginia a question?

Mr. HOLT. Certainly.

Mr. HARRISON. How long does the Senator expect to discuss the amendment to which he has referred?

Mr. HOLT. I should say that it would be decidedly less than an hour.

Mr. HARRISON. I may say to the Senate that, in common with other Senators, I am anxious to have the revenue bill taken up for consideration at the earliest possible moment. I shall make a report on the bill in a moment, and I had intended to ask the Senate to consider the bill the first thing tomorrow. Could we not have unanimous consent that at a certain time tomorrow a vote will be taken on the amendment in which the Senator from West Virginia is interested, and give him the intervening time in which to discuss it?

Mr. HOLT. That is perfectly agreeable to me, and the hour of 1 o'clock would be satisfactory.

Mr. HAYDEN. I suggest that the Senator submit the unanimous-consent agreement.

The VICE PRESIDENT. Let the Chair see if he can state the unanimous-consent agreement desired by the Senator from West Virginia. The Senator from West Virginia asks that the Senate consider the Interior Department appropriation bill, as well as the Army appropriation bill, and that the amendment in reference to the appropriation for the Bituminous Coal Commission go over until tomorrow. Is there objection?

Mr. HAYDEN. And that there be a vote at not later than 1 o'clock tomorrow.

The VICE PRESIDENT. And that there be a vote at not later than 1 o'clock tomorrow. Is there objection? The Chair hears none, and it is so ordered.

TAX REVISION—REPORT OF THE COMMITTEE ON FINANCE

Mr. HARRISON. Mr. President, from the Committee on Finance I report back favorably with amendments the bill (H. R. 9682) to provide revenue, equalize taxation, and for other purposes, and I submit a report thereon (Rept. No. 1567).

I ask unanimous consent that tomorrow following the vote upon the Bituminous Coal Commission amendment to the Interior Department appropriation bill, regardless of whether it is a calendar day or a legislative day, the revenue bill be taken up for consideration by the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Mississippi?

Mr. COPELAND. Mr. President, I assume that the Senator includes in the request the completion of the consideration of the Army appropriation bill, which will be taken up today.

Mr. HARRISON. I understood that both of the appropriation bills would be out of the way pretty quickly.

Mr. COPELAND. I assume the Senator is making his request to take effect after the final vote on both bills.

Mr. HARRISON. No; I am asking that after the vote tomorrow on the Bituminous Coal Commission amendment to the Interior Department appropriation bill, regardless of whether it is a calendar day or a legislative day, the revenue bill shall be taken up for consideration.

The VICE PRESIDENT. Is there objection?

Mr. COPELAND. Reserving the right to object, I do not know whether or not there is opposition to the revenue bill. If there should be opposition, one might well make one of these appropriation bills the vehicle of a filibuster against beginning the consideration of the bill reported by the

Finance Committee. We are all anxious to get the appropriation bills out of the way in order that the Congress may adjourn sometime, and that is what I have in mind. As chairman of the subcommittee having in charge the War Department appropriation bill, I do not want it to be in such a position that we may be stopped in the middle of the consideration of the bill.

Mr. HARRISON. I will say to the Senator that after we take up the revenue bill, which appears to me to be very important, I shall not object to temporarily laying it aside for the consideration of the Army appropriation bill.

Mr. COPELAND. That is entirely satisfactory.

The VICE PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9621) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1939, and for other purposes.

The PRESIDENT pro tempore. The clerk will state in order the amendments reported by the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Office of the Secretary", line 13, after the word "field", to strike out "\$280,000" and insert "\$285,600", so as to read:

OFFICE OF SOLICITOR

For personal services in the District of Columbia and in the field, \$285,600.

The amendment was agreed to.

The next amendment was, under the subhead "Division of Grazing", on page 5, line 12, after the word "received", to insert "from grazing districts", so as to read:

For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the act of June 28, 1934 (48 Stat. 1269), and as amended by the act of June 26, 1936 (49 Stat. 1976), and not including contributions under section 9 of said act, \$250,000: *Provided*, That expenditures hereunder shall not exceed 25 percent of all moneys received from grazing districts under the provisions of said act during the fiscal years 1938 and 1939.

The amendment was agreed to.

The next amendment was, under the subhead "Petroleum Conservation Division", on page 6, line 9, after the word "vehicles", to strike out "\$250,000" and insert "\$275,000", so as to read:

Salaries and expenses, oil regulation and enforcement: For administering and enforcing the provisions of the act approved February 22, 1935 (49 Stat. 30), entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", as amended, and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed \$1,000 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed \$4,000 for printing and binding, not to exceed \$500 for books and periodicals, and not to exceed \$14,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, \$275,000.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses, Department of the Interior", on page 6, line 13, after the word "advertising", to strike out "teletype rentals and service", so as to read:

For contingent expenses of the office of the Secretary and the bureaus and offices of the Department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; streetcar fares for use by messengers not exceeding \$150; expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines, and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and airmail stamps for use in the United States; traveling expenses,

including necessary expenses of inspectors and attorneys; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the Department; not exceeding \$500 for the payment of damages caused to private property by Department motor vehicles; purchase and exchange of motor-trucks, motorcycles, and bicycles, maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles and motor-trucks, motorcycles, and bicycles to be used only for official purposes; rent of Department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expenses of translations, and not exceeding \$1,000 for contract stenographic reporting services; not exceeding \$700 for newspapers; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the Department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore provided for, \$112,000; and, in addition thereto, sums amounting to \$46,100 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1939, as follows: General Land Office, \$3,500; Geological Survey, \$6,000; Freedmen's Hospital, \$1,000; St. Elizabeths Hospital, \$2,200; National Park Service, \$10,000; Bureau of Reclamation, \$8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Division of Investigations, \$2,000; Bureau of Mines, \$9,000; Division of Grazing, \$4,000; and said sums so deducted shall be credited to and constitute, together with the first-named sum of \$112,000, the total appropriation for contingent expenses for the Department and its several bureaus and offices for the fiscal year 1939.

The amendment was agreed to.

The next amendment was, on page 8, line 13, after the word "any" where it occurs the second time, to strike out "bureau or office" and insert "of the following bureaus or offices", so as to read:

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, \$600, and in addition there is hereby made available from any appropriations made for any of the following bureaus or offices of the Department, not to exceed the following respective sums: Indian Service, \$500; Office of Education, \$2,500; Bureau of Reclamation, \$6,000; Geological Survey, \$6,000; National Park Service, \$2,000; General Land Office, \$500; Bureau of Mines, \$3,000.

The amendment was agreed to.

The next amendment was, under the subhead "Printing and binding", on page 8, line 24, after the word "Reclamation", to strike out "\$250,000" and insert "\$255,680"; on page 9, line 1, before the word "for", to strike out "\$80,580" and insert "\$85,000"; and in line 2, before the word "for", to strike out "\$50,740" and insert "\$52,000", so as to read:

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Alaska Railroad, the Geological Survey, Vocational Education, and the Bureau of Reclamation, \$255,680, of which \$56,840 shall be for the National Park Service, \$85,000 for the Bureau of Mines, and \$52,000 for the Office of Education, no part of which shall be available for correspondence instruction.

The amendment was agreed to.

The next amendment was, under the heading "National Bituminous Coal Commission", on page 11, line 7, after the word "periodicals", to strike out "\$2,700,000" and insert "\$3,000,000."

Mr. HAYDEN. Mr. President, this is the Bituminous Coal Commission amendment, which it has been agreed may be passed over.

The PRESIDENT pro tempore. The amendment will be passed over. The clerk will state the next amendment of the committee.

The next amendment of the committee was, under the heading "Bonneville project", on page 12, line 13, before the words "in carrying", to insert "including personal services", so as to read:

BONNEVILLE PROJECT

For administering and carrying out the provisions of an act entitled "An act to authorize the completion, maintenance, and operation of the Bonneville project, for navigation and for other purposes", approved August 20, 1937, including maintenance and operation of automobiles, purchase of stationery and office supplies, purchase of equipment and other supplies, rent, traveling

expenses, telegraph and telephone expenses, printing and binding, and all other necessary expenses, \$165,000.

For construction, purchase and maintenance of transmission lines and purchase of easements and rights-of-way, including personal services, in carrying out the provisions of an act entitled "An act to authorize the completion, maintenance, and operation of the Bonneville project, for navigation and for other purposes," approved August 20, 1937, to be immediately available, \$3,500,000.

The amendment was agreed to.

The next amendment was, under the heading "General Land Office", on page 12, line 21, after the name "District of Columbia", to strike out "\$637,700" and insert "\$87,700, including \$50,000 for temporary employees and", so as to read:

For Commissioner of the General Land Office and other personal services in the District of Columbia, \$687,700, including \$50,000 for temporary employees and including one clerk, who shall be designated by the President, to sign land patents.

The amendment was agreed to.

The next amendment was, under the subhead "General expenses", on page 14, line 16, after "Secretary of the Interior", to strike out "\$750,000" and to insert "\$1,000,000", so as to read:

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, \$1,000,000, including not to exceed \$5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed \$5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed \$10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation fund, or special deposit.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Indian Affairs", on page 18, line 4, after the words "District of Columbia", to strike out "\$522,200" and insert "\$528,680", so as to read:

SALARIES

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, \$528,680.

The amendment was agreed to.

The next amendment was, under the subhead "General expenses", on page 19, line 18, after the word "expenses", to strike out "\$80,000" and insert "\$120,000"; in line 19, after the word "exceed", to strike out "\$20,000" and insert "\$25,000"; and on page 20, line 3, after the word "exceed", to strike out "\$15,000" and insert "\$5,000", so as to read:

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the act of June 18, 1934 (48 Stat. 986), as supplemented and amended by the acts of June 15, 1935 (49 Stat. 378), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), including personal services, purchase of equipment and supplies, not to exceed \$3,000 for printing and binding, and other necessary expenses, \$120,000, of which not to exceed \$25,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed \$3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed \$5,000 shall be available for expenditure in said State.

The amendment was agreed to.

The next amendment was, on page 20, line 11, after the word "exceed", to strike out "\$190,000" and insert "\$200,000", so as to read:

Vehicles, Indian Service: Not to exceed \$470,800 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use

of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed \$200,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

The amendment was agreed to.

The next amendment was, under the subhead "Indian lands", on page 24, line 13, after the word "exceed", to strike out "\$20,000" and insert "\$25,000", so as to read:

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the act of June 18, 1934 (48 Stat. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, \$500,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1938, of which not to exceed \$25,000 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona, Colorado, New Mexico, and Wyoming no part of said sum shall be used for the acquisition of land outside of the boundaries of existing Indian reservations.

The amendment was agreed to.

The next amendment was, on page 25, after line 5, to insert:

Purchase of land, Confederated Bands of Utes, Utah (tribal funds): The unexpended balances of the amounts authorized to be expended by the Interior Department Appropriation Act for the fiscal year 1938 for the purchase of additional lands and improvements for the Confederated Bands of Ute Indians in Utah, are hereby continued available for the same purposes until June 30, 1939.

The amendment was agreed to.

The next amendment was, on page 25, line 20, after the name "Cheyenne River Tribe", to insert a colon and the following additional proviso: "*Provided further*, That the unexpended balance of the appropriation from tribal funds made for this purpose for the fiscal year 1938 is hereby continued available until June 30, 1939", so as to read:

Purchase of land, Cheyenne River Reservation, S. Dak., (tribal funds): For the purchase of Indian-owned and privately owned land, and improvements thereon, in the Cheyenne River Reservation, S. Dak., \$12,500, payable from funds on deposit to the credit of the Cheyenne River Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Cheyenne River Tribe: *Provided further*, That the unexpended balance of the appropriation from tribal funds made for this purpose for the fiscal year 1938 is hereby continued available until June 30, 1939.

The amendment was agreed to.

The next amendment was, on page 25, after line 23, to insert:

Land surveys, Choctaw and Chickasaw Nations, Oklahoma. (tribal funds): For the survey of certain lands of the Choctaw and Chickasaw Indians of Oklahoma, \$15,000 payable from funds on deposit to the credit of said Indians.

The amendment was agreed to.

The next amendment was, on page 26, after line 2, to insert:

Purchase of land, Fort Hall Reservation, Idaho (tribal funds): For the purchase of Indian-owned and privately owned lands or interests therein, and improvements thereon, \$50,000, payable from funds on deposit to the credit of the Fort Hall Indians: *Provided*, That title to any land, interests therein, or improvements so purchased shall be taken in the name of the United States in trust for the Shoshone-Bannock Tribes of the Fort Hall Reservation: *Provided further*, That in the discretion of the Secretary of the Interior title may be taken to the surface only.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial assistant and advancement," on page 28, line 14, after the word "equipment", to strike out "\$650,000" and insert "\$670,000, of which amount \$20,000 shall be available for extension work among the Five Civilized Tribes in eastern Oklahoma", so as to read:

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling, and other expenses, and purchase of supplies and equipment, \$670,000, of which amount \$20,000 shall be available for extension work among the Five Civilized Tribes in eastern Oklahoma, of which not to exceed \$15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and

to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed \$30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

The amendment was agreed to.

The next amendment was, on page 29, line 22, after the word "available", to strike out "\$28,000" and insert "\$206,000"; in line 23, after the word "follows" and the colon, to insert "Blackfeet, Montana, \$125,000; Fort Apache, Arizona, \$25,000; Navajo, Arizona and New Mexico, \$25,000; Sells (Papago), Arizona, \$3,000;"; and on page 31, line 9, after the word "appropriations", to insert "and the appropriations made herein", so as to read:

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; for advances to them for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irritable allotments to assist them in the development and cultivation thereof, to be immediately available, \$206,000, payable from tribal funds as follows: Blackfeet, Montana, \$125,000; Fort Apache, Arizona, \$25,000; Navajo, Arizona and New Mexico, \$25,000; Sells (Papago), Arizona, \$3,000; Rocky Boy, Montana, \$3,000; Truxton Canyon, Arizona, \$25,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1938, and the act of June 27, 1932 (47 Stat. 335), are hereby continued available during the fiscal year 1939: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1944, except in the case of loans on irritable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding 20 years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support and burial, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed 8 years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1939 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for making loans to members of the tribal corporation under rules and regulations established for the making of loans from the revolving loan fund authorized by the act of June 18, 1934 (25 U. S. C. 470).

The amendment was agreed to.

The next amendment was, on page 32, line 21, after the word "expenses", to strike out "\$41,000" and insert "\$42,500", and in line 25, after the word "exceeding", to strike out "\$6,000" and insert "\$7,500", so as to read:

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States, while absent from their homes, not to exceed \$2,500 for printing and binding, and other necessary expenses, \$42,500, of which not to exceed \$16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding \$7,500 per annum.

The amendment was agreed to.

The next amendment was, under the subhead "Irrigation and drainage", on page 43, line 10, before the word "reimbursable", to strike out "\$11,000" and insert "\$26,000", so as to read:

Oregon: Klamath, \$26,000, reimbursable; Warm Springs, \$15,000, reimbursable.

The amendment was agreed to.

The next amendment was, on page 43, line 19, after the words "In all", to strike out "\$2,636,000" and insert "\$2,651,000", so as to read:

In all, \$2,651,000, to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1938, shall remain available until June 30, 1939: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 percent of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 percent.

The amendment was agreed to.

The next amendment was, under the subhead "Education", on page 45, line 6, after the word "That", to strike out "no part of any appropriation" and insert "not to exceed an aggregate of \$1,000 of appropriations available", so as to read:

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, \$5,957,165: *Provided*, That not to exceed \$20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That \$60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than \$15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition, and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient: *Provided further*, That not to exceed \$10,000 of this appropriation may be used for printing and binding in authorized Indian-school printing plants: *Provided further*, That not to exceed an aggregate of \$1,000 of appropriations available for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

The amendment was agreed to.

The next amendment was, on page 48, line 19, after the figures "\$24,000" and the semicolon, to strike out "in all, \$228,000" and insert "for the purchase of additional land, including all improvements thereon, \$29,000; in all, \$257,000", so as to read:

Albuquerque, N. Mex.: For 600 pupils, \$204,000; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, \$24,000; for the purchase of additional land, including all improvements thereon, \$29,000; in all, \$257,000.

The amendment was agreed to.

The next amendment was, on page 50, line 17, after the word "exceed", to strike out "\$2,593,825" and insert "\$2,622,825", so as to read:

In all, for above-named nonreservation boarding schools, not to exceed \$2,622,825: *Provided*, That 10 percent of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 percent shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

The amendment was agreed to.

The next amendment was, under the subhead "Conservation of health", on page 53, line 8, after the word "diseases", to strike out "\$4,999,000" and insert "\$5,024,000", and in line 9, after the word "exceed", to strike out "\$3,710,320" and insert "\$3,735,320", so as to read:

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding \$25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among

Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, \$5,024,000, including not to exceed \$3,735,320 for the following-named hospitals and sanatoria.

The amendment was agreed to.

The next amendment was, on page 55, line 8, after the word "Hospital", strike out "\$65,000" and insert a comma and "\$90,000, to be immediately available", so as to read:

Oklahoma: Cheyenne and Arapahoe Hospital, \$36,000; Choctaw and Chickasaw Sanatorium and General Hospital, \$195,000; Shawnee Sanatorium, \$100,000; Claremore Hospital, \$76,300; Clinton Hospital, \$22,000; Pawnee and Ponca Hospital, \$36,000; Kiowa Hospital, \$130,000; William W. Hastings Hospital, \$90,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 55, line 14, after the figures "\$130,000", to insert a comma and "together with the unexpended balance of the amount appropriated for this institution for the fiscal year 1938", so as to read:

South Dakota: Crow Creek Hospital, \$22,000; Pine Ridge Hospitals, \$52,000; Rosebud Hospital, \$45,000; Yankton Hospital, \$23,000; Cheyenne River Hospital, \$35,000; Sioux Sanatorium, \$130,000, together with the unexpended balance of the amount appropriated for this institution for the fiscal year 1938; Sisseton Hospital, \$35,000.

The amendment was agreed to.

The next amendment was, under the subhead "General support and administration", on page 57, line 15, after the word "provisions", to strike out "\$2,675,000" and insert "\$2,700,000", so as to read:

For general support of Indians and administration of Indian property, including pay of employees, authorized by continuing or permanent treaty provisions, \$2,700,000: *Provided*, That in the discretion of the Secretary of the Interior, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 58, after line 4, to strike out:

Reindeer industry, Alaska: For an investigation, under the direction of the Secretary of the Interior, of the property and reindeer to be acquired for the natives in Alaska, as authorized by the act of September 1, 1937 (50 Stat. 900), \$50,000, to be immediately available: *Provided*, That this appropriation shall be available for personal services in the District of Columbia (not exceeding \$5,000) and elsewhere, and for traveling and all other expenses incident to such investigation.

Mr. HAYDEN. By direction of the Committee on Appropriations, I offer a perfecting amendment in lieu of the language proposed to be stricken out of the bill. I ask that the perfecting amendment may be stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Arizona to the amendment of the committee will be stated.

The CHIEF CLERK. On page 58, after line 13, it is proposed to insert the following:

Reindeer industry, Alaska: To carry out the provisions of the act of September 1, 1937 (50 Stat. 900), entitled "An act to provide subsistence for the Eskimos and other natives of Alaska by establishing for them a permanent and self-sustaining economy; to encourage and develop native activity in all branches of the reindeer industry; and for other purposes", including not to exceed \$5,000 for personal services in the District of Columbia, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment necessary to fulfill the purposes of said act, \$25,000: *Provided*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations and enter into contracts for the purchase of reindeer and range equipment from nonnative owners, not exceeding a total of \$500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the purchase of reindeer pursuant to the authorization contained in the act of September 1, 1937, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further*, That before purchasing reindeer or range equipment of nonnative owners of reindeer an appraisal of such reindeer or range equipment shall be made by a committee consisting of a representative

of the Department of the Interior, a representative of the Department of Agriculture, and a third person not an employee of any agency of the Government to be selected jointly by the Secretaries of Interior and Agriculture without regard to civil-service laws, rules, and regulations and the Classification Act of 1923, as amended, and this appropriation may be used for the salaries and expenses of such appraisal committee: *Provided further*, That no part of the appropriation herein made or the amount authorized to be contracted for shall be available for the purchase, rental, or acquisition of abattoirs, cold-storage plants, packing plants, and other facilities for the slaughter or shipment of reindeer meat, and owners, their representatives or assigns who sell must agree not to acquire reindeer: *Provided further*, That in the event purchases or contracts for purchases are made from individuals or corporations having loans from the Reconstruction Finance Corporation, or loans from any other Federal agency, the Secretary of the Interior shall liquidate such loans out of any money appropriated for the purpose of carrying out the purposes of the act of September 1, 1937, before paying the individuals or corporations for any livestock or range equipment purchased or contracted to be purchased.

Mr. HAYDEN. Mr. President, the amendment I have offered has been the cause of considerable discussion in the Committee on Appropriations. The reindeer industry in Alaska has been a source of embarrassment for a long time. Senators will remember that a committee headed by the late Senator Kendrick of Wyoming went to examine into the reindeer situation. Last year the Senator from Oklahoma [Mr. THOMAS], the Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from South Dakota [Mr. FRAZIER], went to Alaska to further investigate the subject.

As the result of these various senatorial investigations, Congress passed a bill authorizing an appropriation of \$2,000,000 to acquire all the reindeer in Alaska as well as everything connected with the reindeer industry, including the abattoirs, and the means of shipping the reindeer to the United States. It was the apparent intention of the act to acquire everything connected with the reindeer industry.

The Bureau of the Budget sent an estimate to Congress for \$1,000,000 for the purpose of carrying out the act cited in the amendment. The House Committee on Appropriations, after looking into the matter, decided that there was not sufficient information available upon which to base a decision, and merely authorized an appropriation of \$50,000 for a further investigation.

The Senate Committee on Appropriations went into the matter very carefully and came to the conclusion that to send another committee to Alaska, without authority to act, would produce no information that Congress does not now have, particularly in view of the fact that there are now three Members of the Senate who have been to Alaska and understand the situation. The pending amendment, I am frank to say, will not provide a complete solution of the problem, but is enough to take the matter to conference, where members of the House Committee on Appropriations who are very much interested will help to bring about an arrangement which will be fair to the Treasury, to the natives of Alaska, and to other parties concerned.

One thing that the Senate Committee on Appropriations was insistent upon was that that part of the measure which authorizes the Government of the United States to go into the business of slaughter and shipment of reindeer meat to the United States should be carried out. For that reason a proviso, as follows, was inserted:

No part of the appropriation herein made or the amount authorized to be appropriated, shall be available for the purchase, rental, or acquisition of abattoirs, cold-storage plants, and other facilities for the storage or shipment of reindeer meat.

The Committee on Appropriations arrived at that conclusion after hearing what had happened with respect to Government operation of the reindeer meat business in the past.

As many of the Members of the Senate are no doubt familiar, Carl Lomen and his associates in Alaska have been engaged in slaughtering and shipping reindeer meat to the United States in an effort to build up a market for it. They have had to have the laws of 8 or 10 States changed to declare reindeer not to be game. They had shipped to this country 24,000 carcasses of reindeer, had them in cold stor-

age at Seattle, and were in process of selling the meat throughout the United States. The carcasses that they shipped were slaughtered in abattoirs, under sanitary conditions, and brought down frozen to this country.

The Department of the Interior, through its representatives in Alaska, arranged for the slaughter of 127 reindeer on the beach by the natives. They were placed in a Government vessel and brought to Seattle without charge for freight. The frozen carcasses secured by the Interior Department were brought to the mainland of the United States. The Lomens were attempting to sell their dressed reindeer meat at 12½ cents a pound, and had contracted for the sale of a number of carloads of the meat in the United States. The Department of the Interior sent out franked notices to chambers of commerce and to other organizations in the United States that it had reindeer meat for sale for 9 cents a pound, and with this very limited number of carcasses wrecked the market that the Lomens had for their meat.

The following year the Department of the Interior shipped down 400 carcasses to Seattle. They were sold to the highest bidder, a gentleman in San Francisco, whose check turned out to be no good after the carcasses had been delivered to him. So the Department had to take the carcasses back, and the dressed meat was sold at about 5 cents a pound in California.

The stockmen in that State heard of this and went to the State legislature and had an act passed which effectively prohibits the shipment of reindeer meat into California.

After learning of that experience, the committee came to the conclusion that the Government ought not to go into the business of slaughtering reindeer in Alaska for shipment to the United States. On the other hand, the committee is convinced that the reindeer herds are so scrambled together that they cannot be divided among the several owners. The Lomens and their associates undoubtedly have a number of reindeer in Alaska that the Interior Department should acquire, and the committee feel that all the reindeer in Alaska should ultimately belong to the Eskimos or the Indians.

Therefore the provision proposed by the committee provides that a representative of the Secretary of the Interior, a representative of the Secretary of Agriculture, and a third person selected by the two Secretaries shall go to Alaska with authority to contract for the purchase of the deer in Alaska, and nothing else, with the idea that the white ownership of reindeer in Alaska shall cease and that all the reindeer in Alaska shall be retained by the Government for the use of the Eskimos and the Indians. That is the proposal that is before the Senate.

I am satisfied, Senators, that, as written, the provision lays the ground work for a plan that can be worked out in conference. I ask the Senate, therefore, to provide an opportunity to take the problem to conference and see what can be done. Perhaps we will wind up by not doing anything, but there is a problem before us and an attempt should be made to solve it. In other words, I do not think that Congress should run away from a very serious question.

Mr. MCKELLAR. Mr. President, I desire to explain to the Senate just what I think the record shows concerning reindeer.

In Alaska there are, all told, somewhere between 600,000 and a million and a half reindeer. The raising of reindeer in Alaska grew out of the purchase by the Government of 1,280 reindeer from Siberia in 1892. Those 1,280 reindeer were purchased principally for the purpose of furnishing meat to the Eskimos, and it was thought that the Indians in Alaska might also use the meat. Things went along until 1914, and the reindeer increased very rapidly. One witness said that the reindeer propagated so fast that the number doubled about every 3 years.

Apparently, there was no question about distributing the reindeer and the meat, to the various Eskimos principally and to the Indians to some extent, until the year 1914. Senators, keep that in mind. We began in 1892 by buying 1,280 reindeer.

The reindeer propagated very rapidly, and in 1914 there were probably 100,000 or more. In 1914 certain white Americans appeared in Alaska and established a livestock company to go into the reindeer business. Bear in mind the law prohibited buying reindeer from the Eskimos. All the reindeer were Government-owned reindeer; but it is claimed by those who began the business in 1914 that they obtained title to certain other reindeer which the Government did not own. I should like to read the claim of title as stated by one of the witnesses representing the corporation. I am putting it in his language, as found on pages 385 and 386 of the hearings before the Appropriations Committee of the Senate. I quote the testimony of one of the so-called owners. This is the way the livestock companies trace their title to reindeer, which were Government reindeer of course, and which were for the use of the Eskimos:

One of these Lapps was a man by the name of Alfred Nilima. Alfred Nilima told the Government in 1901 that he wanted reindeer, so they loaned him 99 reindeer; 75 females and 24 males.

He did not buy them.

He took his little herd and watched them. At the end of 5 years, comprising 1901 to 1906, he returned 99 reindeer of the same sex—75 males and 24 females—and kept the increase for himself. The increase was his.

They were loaned to him. The 75 females and the 24 males were loaned to Mr. Nilima, and Mr. Nilima kept the increase and returned the 99 reindeer which he borrowed.

Everybody knows that in law, unless there is an agreement otherwise, the increase would belong to the owner. The owner is the United States Government. There was a law prohibiting the United States Government from selling these reindeer. The agents of the Bureau had no right or power to loan them, or to pay them out as compensation, or to sell them, and any such efforts or actions on their part were an indefensible breach of trust and disregard of duty. It was a betrayal of the interests of Eskimos and Indians for whose use and benefit these reindeer were bought and put in their hands.

The chain of title by which the livestock companies now claim something like half a million reindeer is what I have just described. The title rests upon the increase in 5 years, during which 99 reindeer were loaned by the Government to Nilima, who returned the 99 and kept the increase. In that way Mr. Nilima obtained his title, which of course, is the only title there is.

In 1914, certain prospectors from the United States went to Alaska and undertook to acquire reindeer from Mr. Nilima. The livestock companies now claim to own a great many deer. Government officials say the companies own about a third of them.

What kind of deer are they? Are they marked? Not at all. The reindeer of the private operators cannot be distinguished from those of the Government. They are all in the same herd. The Government brought the reindeer to Alaska. The Government owns them now, just as much as it did when it brought them there. Those of us who are lawyers know that the Government owns the increase. The reindeer belong to the Government. They feed on Government land. Those which are butchered are butchered on Government land.

The livestock companies which undertook the livestock business built some abattoirs where the deer are processed for market. The livestock companies spent some \$200,000 for machinery, or at least they say it cost more, but is now valued at \$200,000. Whatever houses were built were erected on Government land. The whole operation is on Government land. The companies own no private land. They installed the machinery and went into the business of processing reindeer.

The Eskimos complained of the action of the livestock companies, and several years ago the Government shipped two or three carloads of reindeer in competition with the reindeer which the private companies were processing and shipping. The price was reduced so that there was no profit

to the private companies, who obtained their reindeer in the manner described.

The companies went into the operation on a large scale. I think they borrowed \$200,000 from the Reconstruction Finance Corporation, they borrowed from various banks, and they now find themselves owing about \$950,000. They have graciously come to Congress and set out their debt and asked Congress to buy the reindeer for \$950,000. They think that would be enough to pay the Government the \$250,000 or whatever amount they owe the Reconstruction Finance Corporation, and to pay the banks. The companies say they are willing to go out of business. One of the reasons given for that is that the Government is in business in competition with them.

Another reason is that the reindeer are eating up all of the forest. It seems that the reindeer subsist on lichens and moss in the wintertime, and such green stuff as they can find in the summer, spring, and fall. The companies say the reindeer are eating too much. No provision is made to reduce the herd in any way. The purchase by the Government will not clear up that situation.

As I understand, the proposal of the Senator from Arizona [Mr. HAYDEN] leaves out of consideration the machinery. Is that correct?

Mr. HAYDEN. Entirely so.

Mr. McKELLAR. So that if we authorize the settlement of this matter on the basis of the amendment offered by the Senator from Arizona we shall be paying \$950,000 for reindeer which the United States already owns, and which were raised on Government-owned land, and we shall be paying the debts of the livestock companies.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. HAYDEN. The last thing I want to do is to spend \$950,000 for the acquisition of the deer only. The proposal involves \$500,000 for the acquisition of the deer. Will the Senator bear with me while I make a suggestion?

Mr. McKELLAR. Yes. The matter is of no interest to me. I am merely quoting the record before me.

Mr. HAYDEN. The Senator is proceeding on the basis of two assumptions with which anybody who ever lived in the West on the public domain could never agree.

One is that no one has a right to run a livestock business on the public domain, because the public domain belongs to the United States. We built up our cattle industry by permitting western livestock owners to run their livestock on the public domain, just as the livestock companies in this instance have been running reindeer on the public domain. There is no difference between a steer or a cow grazing on the public domain in the West and a reindeer grazing on the public domain in Alaska.

The second point to which I desire to call the attention of the Senator is that it is very common practice for a man to take care of cattle for another man and take his pay out of the increase.

Mr. McKELLAR. Let me interrupt the Senator. That is not the proof. I have just read the proof. The proof is that the chain of title, as we would say if we were examining the title to real estate or personal property, for this herd of privately owned reindeer—and when I say "privately owned" I mean owned by the companies of white people who went to Alaska in 1914—comes from the deer which were loaned by the United States to the Eskimos. The chain of title does not arise by reason of labor or anything else. Ninety-nine reindeer were loaned, and the increase during the 5 years they were loaned amounted to a great number; and the deer have since multiplied so that they now constitute one-third of the entire herd. Bear in mind that the reindeer are all in herds. The gentlemen representing the private companies said they could not tell how many they owned. If we buy the deer we shall be buying a cat in a bag. We do not know what we are getting. We know that we are getting some of those herds. The amendment at first did not even include that, but now it does include that.

In 1892 the Interior Department bought these reindeer from Siberia, and by various processes turned them over to the natives of Alaska, largely Eskimos, as very few Indians have reindeer. These reindeer increased by leaps and bounds.

They were bought by the Government for the use of the natives up there, and until 1914 they were so used, but in 1914 the white people began to accumulate deer. The natives could not dispose of their deer, but Dr. Gordon now tells us that in order to teach the Eskimos we brought Lapland herders over, and a part of the compensation of these herders was made in the form of reindeer, and that they sold these reindeer to white people and now the white people claim one-third of them and want to sell their one-third to the Government for \$950,000. Dr. Gordon is mistaken, as I have heretofore pointed out.

Mr. President, it seems to me after having heard the testimony that the law preventing a sale of reindeer to white people must have been disregarded, or that the white people just took over these deer as they desired. It seems that various livestock corporations conceived the idea of shipping reindeer meat to the United States and thought there was a fortune in it and invested some money in it, and that this plan did not prosper, and now they want to unload their reindeer on the Government of the United States. There are certainly some peculiar features about it. The idea that the Lapland herders were paid in reindeer, and that is the way the white people got them, sounds exceedingly "fishy" to me. At all events, the Lapland herders never sold any deer until 1914.

The deer are in droves, and neither the Laplanders know what herds they had, nor do the organizations which now claim one-third of them that they want to sell to the United States for \$950,000 know their deer.

To recapitulate. It is now claimed that they ought to sell them to the United States because:

First. They are unsuceptible of division; and

Second. There are too many deer for the moss and lichen in the wintertime and the grass in the summertime to keep the vast number of deer, estimated variously from one-half million to a million and a half, which are there now. I do not see how the sale to the United States will remedy that situation.

Again, it is claimed that some of these deer have in the last few years been killed and the meat sold in the United States by the white people, and at the same time the Department has killed and dressed meat and sold it here and undersold the white people, and for that reason the Government ought to take over these deer.

Again, it is claimed that it has been an unprofitable venture on the part of these white operators and that the Government ought to make good their losses, which amount to some million dollars.

Mr. President, I am opposed to the purchase of these deer by the Government and for a number of reasons:

First. I do not believe that the white settlers up there have a proper title to these deer. The fact that Eskimo herders were paid a part of their wages in deer is not sustained by the evidence at all.

Second. All the facts seem to indicate that the white settlers have just claimed and have marked many of the deer.

Third. They all agree that they are all so intermingled that nobody can tell which the Government owns and which the white settlers own, if they own any at all. It is admitted by the Department that the white settlers do not know how many they own.

Fourth. If they have more reindeer than can subsist on the lands they have, how will the purchase from the white settlers of the deer affect that situation?

As I look at it, these companies have gone to Alaska, taken over or acquired contrary to law the natives' deer, have erected plants for processing the meat, and have undertaken to ship it and sell it in the United States. They have made a failure in this business, and now they want to unload on

the Government. That is the true situation as I see it, and I do not think the Government should do it. If we are going to pay the debts of these 46 concerns in Alaska, there is no reason why we should not pay the debts of our own citizens. I owe some debts myself that I should like very much for the Government to pay, but I do not think the Government ought to do it, nor do I think the Government ought to pay the debts of these 46 concerns that have gone up there and engaged in such questionable practices concerning the reindeer that the Government provided for the native peoples in Alaska.

One white concern said they had 250,000 deer in 1931 and should have about 450,000 today.

How the Laplanders got their deer is stated by Mr. Lomen. And I want to speak of that situation. One of the Lapps was a man by the name of Alfred Nilima, who told the Government in 1901 that he wanted reindeer, so they loaned him 99 reindeer, 75 females and 24 males. He took his little herd and watched them. At the end of 5 years, comprising 1901 to 1906, he returned 99 reindeer of the same sex, 75 females and 24 males, and kept the increase for himself. The increase was his. That was his own property, but he was under a contract with the Government at that time not to sell female reindeer to anyone other than natives or to Lapps, but not to whites. Nilima had an Eskimo wife whom he divorced in 1908, and divided his herd of 800 that had grown to that number from the natural increase of 99 that he secured in 1901 from the Government, and he gave his Eskimo wife 400 and kept 400. He employed some other Laplanders, including his brother, and in 1914 we bought Nilima's herd of 1,200, which had grown to 1,200 since 1908 from his 400—his half. In 1917 we bought 1,707 from the man who had worked for him as herder, and in 1921 we bought some 1,600, all from the natural increase of 75 females which he had received in 1901.

This is the chain of title under which these white settlers claim the deer. Take their own evidence, and it was a plain steal of Nilima. The Government had no right to loan the deer to Nilima in the first place, and, in the second place, the increase of the deer thus loaned to Nilima did not belong to Nilima but belonged to the Government. Nilima had no legal right whatsoever to retain the increase, and the Government had no right to make such a bargain with Nilima, and so the white settlers' contract for the deer falls to the ground.

I have not looked up the law on the subject, but unquestionably the position I take about it is common honesty, common sense, and common law, and the idea of paying these white settlers who have failed in their efforts to use the natives' deer \$950,000 for deer thus acquired is to my mind unthinkable, unconscionable, and wrong (p. 385 of hearings).

Again, the ranges all belong to the Government. The deer were fed on these ranges, and, in my judgment, the white settlers got no title at all to any deer that they supposedly bought. The 1,280 reindeer brought from Siberia were paid for by the Government (p. 439).

Mr. Lomen was asked if the people sold him the reindeer, and he said "no." Asked what deer he wanted to sell to the Government, he said:

We did not come, Senator, with the idea of selling any to the Government; the Government came to us and asked us if we would sell.

Asked what number the Government expected to buy, he said:

Probably 3,000 to 5,000 (p. 441 of hearings).

He did not know how many deer he had and could not tell. These white people own no land. Their abattoirs are all on Government land (p. 443 of hearings).

The whole plan is shown on page 464 of the record where Mr. Lomen says:

I benefit in no direct way personally. If the Government should take over these assets of ours, reindeer and equipment, the money could be used to retire the stocks, R. F. C., banking, and other liabilities of the corporation.

This tells the whole story. The Government buys reindeer that it already owns, that are already put on its own lands, which, of course, strictly speaking, the Government owns under the law, in order to get back its own property and to pay the debts of these corporations.

Mr. President, I am opposed to this amendment and shall vote against it.

Mr. HAYDEN. Let us see if we can reach an agreement about the facts. The Government of the United States sent to Siberia and bought 1,200 reindeer and brought them to Alaska. Then it went to Lapland and brought certain Lapps over to teach the Eskimos how to care for the reindeer. In the contract with the Lapps who came from Lapland they were to be paid for taking care of the reindeer, and, as part of their compensation, were to receive reindeer of their own.

Mr. McKELLAR. No; we do not agree as to the facts at all.

Mr. HAYDEN. That is the record, according to the way I read it.

Mr. McKELLAR. That is not the testimony. Let me read the testimony of one of the complainants—and this is really a prayer for general relief for the complainants—

One of these Lapps was a man by the name of Alfred Nilima. Alfred Nilima told the Government in 1901—

That was 9 years after the plan had been started—that he wanted reindeer. So they loaned him—

It is not stated that it was for services rendered—

so they loaned him 99 reindeer; 75 females and 24 males. He took his little herd and watched them. At the end of 5 years, comprising 1901 to 1906, he returned 99 reindeer of the same sex—75 males and 24 females—and kept the increase for himself.

There is no such contract as that in the record; there is not a hint of any such contract in the record.

Mr. HAYDEN. Mr. President—

Mr. McKELLAR. Just a moment. This is one of the complainants now who is testifying, one of those who got title through the Laps:

The increase was his. That was his own property but he was under a contract with the Government at that time not to sell any female reindeer to any other than natives or to Lapps but not to "whites."

Nilima had an Eskimo wife whom he divorced in 1908 and divided his herd of 800 which had grown to that number from the natural increase of these 99 that he secured in 1901 and he gave his Eskimo wife 400 and he kept 400. He employed 2 or 3 other Laplanders, including his own brother and some others, and in 1914 we bought Nilima's herd of 1,200 which had grown to 1,200 since 1908 from his 400—his half.

That is the way those deer finally got into the hands of this claimant.

These are Government reindeer. The Government was not authorized by any act to sell or even to loan them. The reindeer were brought to Alaska purely for the Eskimos and for the Indians. My position is that they should be kept there for the Eskimos and the Indians. If there are too many, if they are eating up more provender than they should, if the herd is too large it might be reduced by proper steps, but I say that simply because the white companies—and there are a number of such companies, 46 of them all told—went there and secured these deer in this way, and then went into the processing business and into the mercantile business, selling their products in the United States, selling them, by the way, in competition with beef and other food grown in America—

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. McKELLAR. In a moment. And then failed in their business, I do not think it is the duty of the Government to buy these deer which the Government already owns, for these people have no title to them, in my judgment.

Mr. HAYDEN. That is the question to be determined.

Mr. McKELLAR. Outside that, they cannot say that any deer is theirs, but they claim one-third of them. They say they have now half a million of them, but they cannot tell which are theirs because, they say, the herds all go together and they seem indistinguishable. All the witnesses agree to

that. We would not know what we were buying when we bought them.

I say, under those circumstances, the Government having bought these deer for the benefit of the Eskimos, they ought to keep them there for the benefit of the Eskimos and the Indians, and I am opposed to spending \$950,000 of the Government's good money in order to buy property that the Government already owns. Even if it did not own it, I am opposed to the Government buying these deer, because the purchase by the Government will not affect the situation in the slightest. The deer are still there; they are still eating up lichens and the moss, which, it is said, is becoming scarce.

I am not in favor of the Government going into the processing business and selling deer or deer meat in this country; I am not at all in favor of that. I think the deer ought to be processed for the use of the Indians and Eskimos in Alaska. I am opposed to the amendment; I am going to vote against it; and I hope it will be defeated. I think the amendment is subject to a point of order, but I am not going to raise the point of order, on account of my friend, the Senator from Arizona [Mr. HAYDEN], but will let the Senate vote on it, and however the Senate votes will be satisfactory to me. I have done my duty in submitting the facts to the Senate and to the country.

Mr. HAYDEN. Mr. President, there is an important question that must be answered. I desire to quote from the testimony of Paul W. Gordon, field representative of the Secretary of the Interior.

Mr. McKELLAR. On what page is that?

Mr. HAYDEN. On page 334 of the Senate hearings. I asked the question:

How did the private interests come into the reindeer industry?

Dr. Gordon. In order to teach the Eskimos the manner in which reindeer should be handled and used, the Government brought into this country under contract, herders from Lapland and part of the compensation to those herders was made in the form of reindeer. The increase from the reindeer received or their equivalent were unrestricted deer which they could dispose of. The first deer going out of the hands of natives or out of the hands of the Government into nonnative ownership were because of the agreements with the Lapps.

Senator HAYDEN. Beginning in 1914?

Dr. Gordon. At that time the Lapp herders had completed their contracts, so they were in possession of deer and had the right to sell them, and then they sold them to white people in Alaska.

The situation is exactly comparable to a young man going to work for a large livestock outfit in the West to care for a herd of cattle, and the owner of the large herd says, "You may have part of the increase as your compensation." There is nothing unusual about it.

Mr. GILLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Iowa?

Mr. HAYDEN. I yield.

Mr. GILLETTE. Under the contract what percentage of the increase was to go to the Lapps?

Mr. HAYDEN. That is not stated, but the Lapps had some deer which they acquired under this arrangement. What the details of the agreement were, I do not know, as I have not the context of the contract which was entered into.

Mr. GILLETTE. There is no express agreement as to any percentage of the increase?

Mr. HAYDEN. There must have been, but the record does not show what it was. The claim of title of the Northwestern Livestock Co. is that they bought their deer from the Laplanders who, under the contract with the Government, had acquired them in a lawful manner.

Second, there is not any question at all that the Lomen Co. invested a large amount of money, something more than two and a half million dollars in this industry. There is not any question, either, that Congress can, under the control of the public domain in Alaska, absolutely confiscate whatever they have invested. It is in the power of the Federal Government to do it; but whether, in good conscience and equity, we should or not is the question that Congress should consider. My proposal is that \$500,000, or one-fourth

of the amount that the Congress has heretofore authorized, be appropriated for the purchase of reindeer from nonnative owners and to defray the expense of sending three representatives to Alaska to make an appraisal. That is the proposal. It is either to do that or to let the situation go on from bad to worse.

Mr. McKELLAR. It was tried last year to clean it up, and I call the Senate's attention to section 3 of the act to provide subsistence for the Eskimos and other natives of Alaska, and so forth, which was passed at the first session of the present Congress:

Sec. 3. All persons, other than natives of Alaska, who upon the date of this enactment claim title to any Alaskan reindeer shall, within 1 year after the date of this enactment, file in Alaska, with the duly authorized agent or agents of the Secretary of the Interior, declarations of their ownership.

No declarations of ownership have been filed. They have not any title under that act.

Similar declarations concerning Alaskan reindeer acquired by any person not a native of Alaska by purchase or by gift at any time after the date of this enactment shall be filed as aforesaid within 30 days after the date of such acquisition.

There has been no such filing, at least there is nothing in the record to indicate that there has been. This act was passed evidently for their benefit, but there has been no compliance with the act.

Records of all declarations thus filed shall be made and kept open to public inspection in Alaska. If any owner of Alaskan reindeer, to whom the foregoing provisions of this section are applicable, shall fail to file the required declaration within the stated period, he shall be barred thereafter from asserting his claim of title.

I do not know what the facts are, but there is nothing whatever in this record to show any claim of title; none has been filed anywhere, and, as I say, they are coming here as the complainants for general relief. They want to get the Government to pay bills which they owe. I do not think the Government is called upon to pay the bills of people who are in private business. If it is, I hope somebody will put such an amendment in the bill for me, for I owe a considerable sum, and I should like very much to have an amendment that would provide for paying my indebtedness if the indebtedness of the people in Alaska is being paid.

The truth of the matter is that these gentlemen went there with their eyes wide open; they are dealing with Government property; they have been dealing with Government property all the time, and what they have made out of the transaction they have made out of the Government property. I think the House of Representatives was exactly right to leave this matter alone. The Senate ought not to go into it without at least having full evidence. I do not desire to do anybody any wrong, but no one can tell what will be the result if we undertake to enact this legislation without any knowledge as to what we are buying. We would be "buying a pig in a poke"; we would be paying a tremendous sum, \$950,000, for reindeer, which, in my judgment, under the statutes, we already own, because there has been no compliance with the statute, so far as the record shows.

Under those circumstances, I ask the Senate to vote down the amendment. I think the provision of the House bill should be adopted, and that is all we should adopt.

The PRESIDING OFFICER (Mr. McGILL in the chair). The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN] on behalf of the committee, to the amendment reported by the committee. [Putting the question.] The Chair is in doubt.

Mr. McKELLAR. I ask for the yeas and nays.

Mr. BANKHEAD and Mr. COPELAND suggested the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Bankhead	Borah	Bulow
Andrews	Berry	Bridges	Burke
Ashurst	Bilbo	Brown, Mich.	Byrd
Bailey	Bone	Bulkley	Byrnes

Capper	Hatch	McCarran
Caraway	Hayden	McGill
Clark	Herring	McKellar
Connally	Hill	McNary
Copeland	Hitchcock	Maloney
Davis	Holt	Miller
Duffy	Hughes	Milton
Ellender	Johnson, Calif.	Minton
Frazier	Johnson, Colo.	Murray
George	King	Neely
Gerry	La Follette	Norris
Gibson	Lee	O'Mahoney
Gillette	Lodge	Overton
Green	Logan	Pittman
Guffey	Loneragan	Pope
Hale	Lundeen	Radcliffe
Harrison	McAdoo	Reames

Reynolds
Russell
Schwartz
Sheppard
Shipstead
Smathers
Thomas, Okla.
Thomas, Utah
Townsend
Tydings
Vandenberg
Van Nuys
Walsh
Wheeler
White

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, before a vote is had upon this amendment, I think the fact that the authorization bill was reported by the Indian Affairs Committee warrants me in saying a few words about the amendment.

The amendment proposes an appropriation of \$500,000 to buy the interest of white persons in deer in Alaska. This matter has been a bone of contention for years.

A number of years ago a Senate committee headed by the late Senator Kendrick was sent to Alaska to make an investigation of the reindeer industry. The investigation was made, and Senator Kendrick submitted a report. In 1936 a subcommittee of the Indian Affairs Committee made a trip to Alaska. The subcommittee consisted of the Senator from North Dakota [Mr. FRAZIER], the Senator from Minnesota [Mr. SHIPSTEAD], and myself. We had with us a representative of the Biological Survey in the person of Dr. Bell, and a representative of the Geological Survey in the person of Dr. Smith.

We visited the area inhabited by the reindeer, in the vicinity of Nome and north of Nome. In that section of Alaska there is no timber. There is nothing that can be seen except a little moss, and the moss is very short. It grows but very little during the summer. The reindeer must feed upon the small amount of moss that is grown there in the short summer. The facts are that there are a considerable number of reindeer in Alaska.

The reindeer are held and owned in the main by the Eskimo natives; but white interests have gone into Alaska and have secured possession of the reindeer, or at least they claim possession of them. The reindeer are marked or branded, and I think all of the adult deer bear the brands of the owners or alleged owners.

Mr. President, there are peculiar conditions in northern Alaska. There are in that territory about eighteen or nineteen thousand citizens called Eskimos. They look very much like members of the white race. They came across from northern Asia. I do not know their ethnology, but many of them speak English, and they look as though they might be of Nordic descent.

Mr. McKELLAR. Mr. President, how many Indians are there in Alaska? I think the record shows the number.

Mr. THOMAS of Oklahoma. There are only 60,000 people in Alaska. Half of them are Indians and Eskimos and half are whites. There are three classes of native citizens of Alaska. In the southern part there are Indians who look very much like the American Indians who came across from Canada. In the Ketchikan area we find Indians who look exactly like the Indians of America. On the Aleutian Islands, which extend away out into the ocean toward Japan, we find the Aleutians. The Aleutians are a sort of mixture between Russians and Indians. That is the way they appeared to me. They are very high-class people and have a high degree of civilization on the narrow islands called the Aleutian Islands. In the northern part of Alaska there are the Eskimos, who, as I have said, apparently came from northern Asia.

Originally these Eskimos, living in that far northern country, had nothing on which to subsist except what was produced in that territory. There was no timber, so the Eskimos had to live in such houses as they could improvise. The

only wood in that section is such as is washed up by the ocean. Along the coast one may find limbs of trees, boards of various kinds and character, and the Eskimos must depend upon this timber, selected from the wash of the tides against the banks. From such timber thus acquired they have constructed such houses as they have.

The furniture, of course, is very primitive, where there is any furniture at all. In former times the Eskimos had to live upon what was produced in that section. They lived upon whale, and seal, and walrus, and fish. The Eskimos made their own clothing from the hides of animals which are found in that region. They made their own suits, they made their own shoes, and they made their own caps. All the clothing they had was clothing made by themselves.

Since the white man has taken over Alaska and sent many missionaries there, and since white people have engaged in business in Alaska, the Eskimos' mode of living has completely changed. Now the Eskimos want to wear white men's clothes; they want to wear leather jackets and woolen shirts, loud plaid shirts, like those worn in the lumber camps; they want to wear heavy trousers and high-top boots, laced up the front; they want to wear fur caps, like those worn by white men and women in cold climates.

These Eskimos not only want to wear American clothing but they want to eat American food. They are no longer satisfied with eating raw fish, whale blubber, walrus meat, and seal meat. They want the kind of food that is shipped in to them in cans and other food shipped in by traders.

In order to secure the kind of clothing they want, the kind of food they want, and the accommodations they want in the way of houses and furniture, they must have some money, and the only opportunity for the Eskimo to make money is through handling the deer in such a manner as to derive some money from them. The deer, of course, furnish food for the Eskimos. They can sell the hides of the deer for about a dollar per hide, and I understand the hides make a very good quality of leather for various uses—for the manufacture of gloves, for example.

The meat, when it can be brought to market, is of a very good quality. We had a chance to have a reindeer carcass on our ship, and it was hard to detect the difference between the reindeer meat and beef. One who had a discriminating taste could easily make the distinction, but upon our ship three Senators and two representatives of the bureaus could not tell exactly whether the meat being served was beef or reindeer. It was very good meat, and if it could be sold in the States it would bring a good price. But, of course, the difficulty about selling the meat here is that the States do not want reindeer meat imported in competition with the meat the States themselves produce, so it is hard to establish a regular trade for reindeer meat in the United States.

When our committee made its investigation in Alaska we wanted to look into the affairs of the natives. The Eskimo are considered natives; they are considered Indians. So our committee looked at the problem from the standpoint of the Government being the guardian of the Indians, and the Indians as the wards. We were trying to develop some plan whereby the Eskimos could have a chance to make some money with which to buy the things they have been educated to want and to need.

There is no longer any gold in Alaska open to mining by the individual. The gold that is left in Alaska is now being mined by big companies. Of course, it is necessary to have machinery in working quartz mines, and that is expensive. Gold is found now only in the valleys, where dredging machinery is required, and the dredging machines are very expensive. Of course, a group of Eskimos with no money could not go into quartz mining, and dredging for gold in Alaska is carried on only by the big-company operations.

Eskimos cannot make any money in the gold industry. The companies which have these gold claims in Alaska load ships in the spring with supplies and cheap labor, transport them to Alaska, operate their dredges with cheap labor during the summer; and when summer is over they load the cheap labor on ships and bring the laborers back to the

mainland. So there is little, if any, chance for an Eskimo to get a job with a mining company in Alaska.

The same thing is true of the fisheries in Alaska. There was a time when the Indians and Aleutians and the Eskimos could make some money out of the fisheries.

Mr. McKELLAR. Mr. President, before the Senator leaves the other subject, how would it help the Eskimos for the Government to pay the \$950,000 asked or the \$500,000 provided in the bill with power to contract? How would that benefit the Eskimos and the Indians?

Mr. THOMAS of Oklahoma. I was coming to that. I wanted to catalog, so to speak, the conditions in Alaska.

In answer to the Senator's inquiry, let me say that there are very few Eskimos in Alaska who own individual herds of deer. The more energetic and thrifty Eskimos have their own herds, but the great bulk of the Eskimo families have no deer of their own. They want their own deer, but cannot get them because they have no money with which to purchase them. The plan is to take over the deer from the white owners, so far as the white owners have title, whatever it may be, and then divide the herds up among the families of the Eskimos who have no deer.

Mr. McKELLAR. There are many more deer than can possibly be consumed every year; the Government confessedly owns two-thirds of them, and the Government agent confessedly has the power, under the law, to distribute the two-thirds. Under the present conditions these deer belong to the Eskimos, and there is a meat trust fund; so how can it be said that there are not ample deer there for all who want them? From the testimony before the committee I thought the trouble was that there were too many deer, that they were eating too much of the provender in the country.

Mr. THOMAS of Oklahoma. Mr. President, the deer in Alaska bear the same relation to the Eskimos that the property in America bears to the people of America. It is centered in the hands of a few.

Mr. McKELLAR. In other words, the Eskimos are in the middle of a very bad fix. I cannot see that our paying off the debts of this private company which has gone to Alaska and made a mistake will help the Eskimos or the Indians. If the Senator can show me how it would help the Eskimos or the Indians I think I would change my mind on the matter, but I do not see how they can be helped.

Mr. THOMAS of Oklahoma. I was trying to catalog the facts, as I see them, with relation to the Eskimos in Alaska. They have practically no means of making money. The opportunity for making money through handling deer is very slight. The only way they can make money is by selling what few hides and carcasses they can dispose of.

There is no chance now in Alaska for the Eskimos to make money in mining. There are no gold fields available, and they have no money to go into it on a large scale. If they did have the money, they would find all the gold already appropriated by the big companies.

Formerly the Eskimos had a chance to make money out of fishing. At a time when they caught their fish with nets, the Eskimos could catch some fish and sell them to the canneries and make some money during the fishing season. But that time has passed, because American companies have preempted and filed upon and taken possession of all the good fishing waters in Alaska.

At every place around the points of land where the salmon run there will be found fish traps. Such traps are built with large piles driven from the bank away out in the water, and on the piles there is a fine screen wire, so when the fish come from either direction they run against the wire. They want to go on, so they start to go down the wire, and the first thing the fish knows it is in a big corral of piling built around an acre or half an acre, with heavy wire around the piles, and the salmon not being as smart as they should be, when they get in the trap, they are not able to find their way out.

When the fishing season is on, the next morning after there is a run during the night a tugboat comes to the side of the trap, they put out the crane, let a large net down into

the enclosure, into the water inside of the piles, and when they bring it up there is a wagon load, a truck load, a carload, of the finest salmon one ever saw. The crane is turned over the tugboat, and the fish are dropped into the compartment of the tugboat. When the tugboat is full, it pulls out to the cannery. That is early in the morning, and by nighttime those salmon are packed in cans, ready to be shipped back to the States.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. Practically every foot of land in Alaska, as I understand, and all of the waters, and all the salmon, belong to the Government, and by the appropriate acts of Congress we have provided for sending agents there to take steps to see to it that the natural resources, such as salmon and reindeer, are used for the benefit of the natives. The evidence shows that the canneries are built on Government land, that they are not managed by the Indians at all; that they are not used, as the Senator has so well set forth, for the benefit of the Indians, but for the benefit of the few companies which have gone to Alaska and are exploiting the natural resources which our Government, through Congress, has declared to be a trust for the benefit of the Eskimos and the Indians. As I understand, none of the canneries are owned by the Indians or by the Eskimos. Is not that true?

Mr. THOMAS of Oklahoma. We found only one.

Mr. McKELLAR. The committee found only one in the whole country. How many were there all together?

Mr. THOMAS of Oklahoma. There were canneries all up and down the coast, everywhere.

Mr. McKELLAR. Everywhere? And they are all on Government land, I understand?

Mr. THOMAS of Oklahoma. There may be some exceptions, but in the main they are.

Mr. McKELLAR. In other words, the property of the Government is being exploited for the benefit of private interests. Both fish and reindeer, which are found in Alaska very abundantly, are being used for the benefit of private interests and without regard to the natives whom it is our duty to protect.

Mr. THOMAS of Oklahoma. Mr. President, I was trying to give a picture of Alaska. Formerly the natives had a chance to take their nets and catch fish and sell the fish to the canneries; but since a plan has been devised of taking fish through the traps, fishing by netting has disappeared, for the reason that the canneries contend that a fish caught in a net or in a seine is not so good a fish to can as is a fish caught in a trap. It is contended that fish caught in the nets are handled, and sometimes are kept for hours, and perhaps more than a day before they reach the cannery, while in taking the fish out of a trap, the fish are never touched by human hands and there is no occasion for the fish to be bruised or injured or damaged. In the morning the fish are taken from the traps, transported to the cannery, and by night are canned and ready to be shipped to the States. So, because of the claim that the netted fish and the seined fish are not so good for canning purposes as are the trapped fish, seining and netting are lost arts in Alaska.

As a result the natives have lost the income which they formerly received from those sources. Today there is not a cannery in Alaska which will employ very many natives. The canneries are American corporations. They have their own ships. They equip their ships in the spring; they get cheap labor, they buy American supplies, and the ships go to Alaska. The corporations open up their canneries. When the season is under way they take the fish and can them. The season lasts for about 6 weeks. They process the fish. That is done during the open season. When the season is closed by the Government they store their machinery, take their supplies and their cheap labor, load them on the ships, and go back to the States. There is no chance for natives to get a job at a cannery. That condition may not be universally true, but it is true practically everywhere.

Mr. POPE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. POPE. How do the natives live? Are they on relief?

Mr. THOMAS of Oklahoma. All of Alaska is on relief so far as we could tell, save the corporations and their managers. We found one island in Alaska, called Metlakahtla, very close to Ketchikan. It is rather a small island. It is owned by the Metlakahtla Indians and it is governed by a mission. It is the only point we found in Alaska that is self-sustaining. Through church influences, it has had its own cannery established, and it has its own hydroelectric plant and water supply. Its people catch fish, can and sell them. While the people on this island are not making big money, they are self-supporting.

Aside from that one island we found no place in Alaska in which it looked as if the people could live for more than a year or two on the opportunities available to them. As I have said, there is no chance for the natives to make any money out of fish. There is no chance for them in mining. There is very little chance in taking fur. The only fur left in Alaska is of four kinds: Silver fox, red fox, white fox, and blue fox. These furs are very cheap in Alaska. Those who catch the animals get very little for them, though by the time the furs reach the United States they become quite expensive.

In former years the Indians made some money by taking seal, but because of a treaty with Japan and Great Britain we have provided a seal preserve on the Pribilof Islands in the Bering Sea. There are three islands there which form the home or the dwelling point in the summertime of all the seal on the western coast. These seal come to those particular islands. The islands have been made reserves and are guarded by the Government. About 50,000 seal are killed in July. I will not go into detail concerning that matter, but I will say there is no chance there for the Indians even to get a job because they cannot get to those islands. The islands are protected by the Government, and no one can get to them unless he has a permit from someone whose authority will be recognized. No ships stop there unless they have permission to do so. It is all under the control of the Government. Strangers and foreigners and persons without permits do not get a chance to stop on the islands. There is no longer opportunity for the Indians to make any money by taking seal. So as we see the picture, Mr. President, the opportunities for the Indians of Alaska to become self-sustaining, or even to make a living, are becoming more and more narrowed year by year.

We thought we could improve the situation of the natives by buying the reindeer from those who claim to own them. Whether or not those who claim ownership really do own them I do not know, but there is a vast number of reindeer in Alaska. The white people claim to own about one-third of them. Eskimo families claim to own certain herds. Many families want reindeer and have no reindeer, but they cannot go out and kill a deer. Killing someone else's deer is against the law, of course. The deer are all branded on the ear, and those who know reindeer can tell at a moment's notice to whom the deer belongs.

It was the purpose to try to help the Eskimos of northern Alaska develop an industry from which they could provide food for their sustenance, and sell the deer not needed for food or sell their hides, or such parts as can be sold, so as to make some money with which to buy the things they want and need.

The bill that was passed 2 years ago was submitted to the Committee on Indian Affairs by the Secretary of the Interior. It was considered by the committee, and the committee was of the opinion that the reindeer industry afforded the Eskimos about their only chance to become self-sustaining, and on that theory the committee recommended the bill favorably, and the bill was passed by the Congress.

Under that bill the Budget Bureau has approved the appropriation of a million dollars to acquire all of these deer, the slaughter houses, the pens, and so forth. The Appropriations Committee did not desire to become involved in the meat business. So the committee refused to consider the

purchase at any price of the abattoirs, the slaughter houses, and the equipment and machinery. The pending bill provides for an appropriation of \$500,000, to be placed in the hands of the Secretary of the Interior. He is to be authorized to use this fund to purchase and, if possible, acquire all of the deer in Alaska. We think that \$500,000 will probably buy all the deer that are claimed by the owners. The other property which the law authorizes the Congress to appropriate money to purchase is equipment. If the Senate is not willing to purchase equipment, the Congress will never have to appropriate for that purpose. The amount provided in this item in the bill is only to be used to acquire the interest of the white owners in the reindeer of Alaska.

I favor the amendment.

THE PRESIDING OFFICER. The question is on agreeing to the perfecting amendment offered by the Senator from Arizona [Mr. HAYDEN] on behalf of the committee, to the committee amendment, on page 58, after line 13.

The amendment to the committee amendment was agreed to.

The amendment as amended was agreed to.

THE PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 58, line 19, after the name "Fort Apache", to strike out "\$50,000" and insert "\$55,000, including the construction of quarters and sanitary facilities near McNary"; and in line 22, after the words "in all", to strike out "\$102,200" and insert "\$107,200", so as to read:

Arizona: Fort Apache, \$55,000, including the construction of quarters and sanitary facilities near McNary; San Carlos, \$45,700; Truxton Canyon, \$6,500; in all, \$107,200.

The amendment was agreed to.

The next amendment was, on page 59, line 5, after the figure "1939", to insert "Western Shoshone, \$3,000", so as to read:

Nevada: Carson, the unexpended balances of the appropriations under this head for the Walker River, Summit Lake, and Pyramid Lake Indians, for the fiscal year 1938 are hereby continued available for the same purposes until June 30, 1939; Western Shoshone, \$3,000.

The amendment was agreed to.

The next amendment was, on page 59, line 7, before the word "of", to strike out "\$94,260" and insert "\$108,760"; and in line 12, after the word "government", to insert a comma and "\$10,000 shall be available for the repair and maintenance of buildings and utilities and \$4,500 shall be available for compensation and expenses of attorneys employed under contract approved by the Secretary of the Interior in accordance with existing law", so as to read:

Oregon: Klamath, \$108,760, of which \$5,000 shall be available only for traveling and other expenses, including not to exceed \$5 per diem in lieu of subsistence, of members of the tribal council, or of representatives of the tribe engaged on business of the tribe at the seat of government, \$10,000 shall be available for the repair and maintenance of buildings and utilities and \$4,500 shall be available for compensation and expenses of attorneys employed under contract approved by the Secretary of the Interior in accordance with existing law.

The amendment was agreed to.

The next amendment was, on page 60, line 10, after the word "exceed", to strike out "\$360,810" and insert "\$383,310", so as to read:

In all, not to exceed \$383,310.

The amendment was agreed to.

The next amendment was, under the subhead "Construction and repair," on page 65, line 10, after the figures "\$15,000" and the semicolon, to insert a semicolon and the words "infirmary and quarters, Jones Academy, \$15,000", so as to read:

Five Civilized Tribes, Oklahoma: Quarters for school employees, \$15,000; infirmary and quarters, Jones Academy, \$15,000.

The amendment was agreed to.

The next amendment was, on page 66, line 4, after the numerals "\$7,500" and the semicolon, to insert "dormitory facilities (school), \$75,000", so as to read:

Kiowa, Oklahoma: Riverside, dormitory facilities, \$75,000; Fort Sill, one physicians' cottage, \$7,500; dormitory facilities (school), \$75,000.

The amendment was agreed to.

The next amendment was, on page 66, line 21, after the figures "\$15,000" and the semicolon, to insert "and not to exceed \$5,000 of the appropriation of \$20,000 for the improvement of the sewer system, contained in the Interior Department Appropriation Act, fiscal year 1938, is hereby made available for improvements to the water system", so as to read:

Rosebud, South Dakota: Residence, physician (Yankton), \$8,500; nurses' home (Yankton), \$20,000; improvements to power system, \$15,000; and not to exceed \$5,000 of the appropriation of \$20,000 for the improvement of the sewer system, contained in the Interior Department Appropriation Act, fiscal year 1938, is hereby made available for improvements to the water system.

The amendment was agreed to.

The next amendment was, on page 67, after line 4, to insert:

Shawnee Sanatorium, Oklahoma: General repairs and improvements, \$35,000; infirmary and equipment, \$80,000.

The amendment was agreed to.

The next amendment was, on page 68, at the beginning of line 11, after the words "in all", to strike out "\$1,745,000" and insert "\$1,950,000", so as to read:

For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed \$2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, \$204,000; in all, \$1,950,000, to be immediately available and to remain available until June 30, 1940: *Provided*, That not to exceed 5 percent of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 percent by any such transfer.

The amendment was agreed to.

The next amendment was, on page 78, line 13, after the word "projects", to insert "and for general investigations", so as to read:

Construction: For continuation of construction of the following projects and for general investigations in not to exceed the following amounts, respectively, to be expended from the reclamation fund under the same general conditions and in the same manner and for the same objects of expenditure as specified for projects hereinbefore in this act under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law:

The amendment was agreed to.

The next amendment was, on page 78, after line 21, to insert:

Colorado-Big Thompson project, Colorado, \$1,250,000: *Provided*, That not less than \$600,000 of the sum hereby appropriated shall be expended in the construction of the Green Mountain Reservoir in accordance with the plans set forth in Senate Document No. 80 of the Seventy-fifth Congress, and that construction of said reservoir shall be commenced at or before the time of beginning the construction of the tunnel described in said Senate Document No. 80.

The amendment was agreed to.

The next amendment was, on page 79, line 8, after the numerals "\$500,000" and the semicolon, to insert "Twin Springs Dam and Snake River pumping plant, \$1,000,000", so as to read:

Boise project, Idaho, Payette division, \$500,000; Twin Springs Dam and Snake River pumping plant, \$1,000,000;

Mr. VANDENBERG. Mr. President, I desire to inquire about this item. I am referring to the \$1,000,000 for the Twin Springs Dam and Snake River pumping plant. Am I mistaken in thinking that there was a long series of adverse engineering reports in connection with this project?

Mr. HAYDEN. The report which was presented to the committee along with the Budget estimate was a very favorable report. There may have been other investigations in past years.

Mr. VANDENBERG. I understand the last report is favorable. I want to know about the preceding reports,

and whether or not there has been a series of engineering reports which have been distinctly adverse.

Mr. HAYDEN. The Senators from Idaho can perhaps answer that question. I was not aware that there were adverse reports.

Mr. POPE. I may say to the Senator from Michigan that there has never been an adverse report with reference to the project. There has been an investigation covering a period of years, not only as to this particular site, but other proposed sites. The investigation by the Bureau of Reclamation has been going on for a number of years. But when the investigation was completed in July of last year the report was made and approved by the Bureau of Reclamation. Then an estimate was requested of the Bureau of the Budget by the Bureau of Reclamation. That was not passed upon and finally approved until recently. But there has never been any rejection of this project at any time by any Government department.

Mr. VANDENBERG. How much will the project finally cost?

Mr. POPE. Nine million nine hundred thousand dollars.

Mr. VANDENBERG. Why was it left out of the original request of the Bureau of the Budget for funds this year?

Mr. POPE. Does the Senator mean last fall, when the original Budget was completed?

Mr. VANDENBERG. Yes.

Mr. POPE. It was very largely a matter of time. The report itself was completed in July of last year, and a recommendation was made by the Bureau of Reclamation to the Bureau of the Budget, but there were a number of facts and details in connection with the matter which I understand the Bureau of the Budget was not able fully to investigate. The matter was continued right along, however, from that time until this, additional data and information and minor details being furnished.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. POPE. I yield.

Mr. HAYDEN. One reason represented to the committee for the delay, if my recollection is correct, is that it is necessary for the landowners and water users to enter into agreements to repay the United States. The details of the agreements had to be worked out so that there would be authority on the part of the Secretary to find that the project would comply with the reimbursable features of the reclamation law. The Secretary must have repayment contracts with the water users' associations and others, and there was some delay on that account.

Mr. VANDENBERG. When did the Bureau of the Budget send its recommendation to Congress?

Mr. HAYDEN. On March 22 last.

Mr. VANDENBERG. Why is \$1,000,000 included for this project, when all the other projects seem to be considerably less, and no other project seems to be more than \$500,000?

Mr. HAYDEN. If the Senator will look on the following page he will find that the Yakima project, Washington, Roza division, carries a figure of \$1,000,000. The Kendrick, Wyo., project also amounts to \$1,000,000.

Mr. VANDENBERG. Are those new projects?

Mr. HAYDEN. No. The sums appropriated are to carry on the work which was started in previous years. The Colorado-Big Thompson project in Colorado, just preceding the project under consideration, provides for an appropriation of \$1,250,000.

Mr. VANDENBERG. As I understand, the Senator from Idaho assures me that my information is entirely wrong in respect to a historical record of engineering disapproval of this project?

Mr. POPE. Yes. This particular project has been investigated only during the past few years, and a report was not made upon it until July of last year, when the investigation was completed. Some days ago I read in the press, as undoubtedly the Senator did, a statement to the effect that the project had been rejected by the engineering department of the Bureau of Reclamation, but that statement is entirely incorrect. It is a misstatement.

Mr. VANDENBERG. That is what I wanted to know.

Mr. POPE. The statement in the press was a misstatement.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 79, line 8.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 80, line 3, after the name "Wyoming", to strike out "\$750,000" and insert "\$1,000,000", so as to read:

Kendrick project, Wyoming, \$1,000,000.

The amendment was agreed to.

The next amendment was, on page 80, line 12, after the words "in all", to strike out "\$7,160,000" and insert "\$9,860,000", so as to read:

For administrative expenses on account of the above projects, including personal services and other expenses in the District of Columbia and in the field, \$750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, \$9,860,000: *Provided*, That of this amount not to exceed \$75,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 81, line 8, after the word "fund", to strike out "\$8,224,600" and insert "\$10,724,600", so as to read:

Total, from reclamation fund, \$10,724,600.

The amendment was agreed to.

The next amendment was, under the heading "Geological Survey," on page 87, line 12, after the word "resources," to strike out "\$1,000,000" and insert "\$1,050,000," and in line 13, after the word "exceed," to strike out "\$100,000" and insert "\$130,000"; so as to read:

Gaging streams: For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$1,050,000, of which amount not to exceed \$130,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 percent of the cost of the investigation: *Provided further*, That \$850,000 of this amount shall be available only for such cooperation with States or municipalities.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public-land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary of the Interior; and for performance of work of the Federal Power Commission, \$105,000, of which amount not to exceed \$60,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 88, line 24, after the word "exceed," to strike out "\$60,000" and insert "\$70,000"; so as to read:

Mineral leasing: For the enforcement of the provisions of the acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$315,000, of which amount not to exceed \$70,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 91, at the end of line 10, to strike out "\$3,114,680" and insert "\$3,164,680", so as to read:

Total, United States Geological Survey, \$3,164,680.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Mines," on page 91, line 20, after the name "Secretary of the Interior," to strike out "\$64,000" and insert "\$66,000", so as to read:

Salaries and general expenses: For general expenses, including pay of the Director and necessary assistants, clerks, and other employees, in the office in the District of Columbia and in the field, and every other expense requisite for and incident to the general work of the Bureau in the District of Columbia and in the field, to be expended under the direction of the Secretary of the Interior, \$66,000, of which amount not to exceed \$52,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 93, line 3, after the name "District of Columbia," to strike out "\$624,000" and insert "\$647,560", so as to read:

Operating mine-rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine-rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mine-rescue cars and the Government-owned mine-rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding \$6,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed \$67,100 for personal services in the District of Columbia, \$647,560: *Provided*, That of this amount not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests.

The amendment was agreed to.

The next amendment was, on page 93, line 17, after the name "District of Columbia," to strike out "\$240,400" and insert "\$260,400", so as to read:

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia, \$260,400, of which amount not to exceed \$29,400 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 95, line 14, before the word "of", to strike out "\$359,000" and insert "\$375,540", so as to read:

Mining experiment stations: For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots, and aprons, the purchase not to exceed \$3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the act authorizing additional mining experiment stations, approved March 3, 1915 (30 U. S. C. 8), \$375,540, of which appropriation not to exceed \$17,100 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 96, line 19, after the word "foregoing", to strike out "\$312,000" and insert "\$342,500"; and in line 20, after the word "exceed", to strike out "\$225,000" and insert "\$248,000", so as to read:

Economics of mineral industries: For inquiries and investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other

mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; typewriting, adding and computing machines, accessories and repairs; newspapers, traveling expenses; purchase, not exceeding \$1,200, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing, \$342,500, of which amount not to exceed \$248,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 100, at the end of line 3, to strike out "\$2,225,260" and insert "\$2,317,860", so as to read:

Total, Bureau of Mines, \$2,317,860.

The amendment was agreed to.

The next amendment was, under the heading "National Park Service", on page 101, after line 16, to insert:

Park, parkway, and recreational area study: For every expenditure requisite for and incident to the making of a comprehensive study, in accordance with the act approved June 23, 1936 (49 Stat. 1894), of the public park, parkway, and recreational area programs of the United States, and of the several States and political subdivisions thereof, and of the lands throughout the United States which are or may be chiefly valuable as such areas, \$50,000, of which not to exceed \$15,500 may be expended for personal services within the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 106, line 6, after the figures "\$146,555", to insert a semicolon and "for the acquisition of certain lands, within Mount Rainier National Park, to be available until expended, \$60,000; in all, \$206,555", so as to read:

Mount Rainier National Park, Wash.: For administration, protection, maintenance, and improvement, including not exceeding \$2,150 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$146,555; for the acquisition of certain lands, within Mt. Rainier National Park, to be available until expended, \$60,000; in all, \$206,555.

Mr. BONE. Mr. President, may I inquire of the Senator in charge of the bill as to the amendment which has just been stated, which provides for the acquisition of certain lands within the Mount Ranier National Park? Can the Senator advise me whether it is intended to purchase the land or to acquire it by condemnation?

Mr. HAYDEN. The representations that I have, sent to me by the Senator's colleague—I also have a letter from the Seattle Chamber of Commerce to the same effect—are, in substance, that there are certain lands upon which the Interior Department have an option now to purchase at a cost of \$60,000. Those who own the land said they either wanted the Government to exercise the option or to get out of the way and allow the land to be subdivided into town lots.

Mr. BONE. I think it is a tract on which certain valuable springs are located. I wonder if there is any evidence of an intention on the part of the Department whether to buy or to condemn the land?

Mr. HAYDEN. The whole purpose of the proposed legislation is to make money available to carry out the option the Department now has.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The next amendment was, on page 107, line 23, after the word "exceeding", to strike out "\$15,000" and insert "\$15,500"; in line 25, after the word "east", to insert "northeast,"; and on page 108, line 2, after the word "keepers", to strike out "\$444,840" and insert "\$447,840", so as to read:

Yellowstone National Park, Wyo.: For administration, protection, and maintenance, including not exceeding \$5,900 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and

employees in connection with general park work, not exceeding \$15,500 for maintenance of the roads in the national forests leading out of the park from the east, northeast, southwest, and south boundaries and including feed for buffalo and other animals and salaries of buffalo keepers, \$447,840.

The amendment was agreed to.

The next amendment was, on page 109, after line 2, to insert:

El Morro National Monument: Water supply and distribution system, \$4,000.

The amendment was agreed to.

The next amendment was, on page 109, after line 4, to insert:

Home of Dr. John McLoughlin, Oregon City, Oreg.: For the restoration and preservation of the home of Dr. John McLoughlin, chief factor of the Hudson's Bay Co., and father of the Oregon Country, at Oregon City, Oreg., as a historic American building in accordance with the provisions of the act entitled "An act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666), \$25,000.

The amendment was agreed to.

The next amendment was, on page 111, line 10, after the word "exceed", to strike out "\$15,000" and insert "\$21,500", so as to read:

Forest protection and fire prevention: For the control and the prevention of spread of forest insects and tree diseases and for fire-prevention measures, including equipment, and personal services in the District of Columbia (not to exceed \$21,500) and elsewhere, \$110,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 113, line 10, before the word "Ridge", to strike out "Doughton Blue" and insert "Blue"; in line 13, after the word "the", to strike out "Doughton Blue" and insert "Blue"; in line 18, before the words "of which", to strike out "\$3,996,200" and insert "\$5,996,200"; and in line 24, after the word "State", to insert "and said allotments shall be used for no other purpose", so as to read:

Blue Ridge and Natchez Trace Parkways: For continuing the construction and maintenance, under the provisions of section 5 of the act of June 16, 1936 (49 Stat. 1519-1522), of the Blue Ridge and Natchez Trace Parkways, including not exceeding \$1,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, to be immediately available and remain available until expended, \$5,996,200, of which amount not to exceed \$40,000 shall be available for personal services in the District of Columbia: *Provided*, That \$1,500,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State and said allotments shall be used for no other purpose.

The amendment was agreed to.

The next amendment was, on page 114, line 10, after the name "District of Columbia", to strike out "\$12,000" and insert "\$24,000", so as to read:

Historic sites and buildings: For carrying out the provisions of the act entitled "An act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666), including personal services in the District of Columbia, \$24,000.

The amendment was agreed to.

The next amendment was, on page 115, line 12, after the word "amount", to insert "\$5,313,000 shall be for personal services in the District of Columbia and", so as to read:

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building; per diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; arms and ammunition for the guard force; not exceeding \$18,000 for uniforms for employees; and the purchase, maintenance, repair, exchange, storage, and operation of four motor-propelled passenger-carrying ve-

hicles, \$7,513,000, of which amount \$5,313,000 shall be for personal services in the District of Columbia and not to exceed \$500,000 shall be available for major repairs and improvements to public buildings, monuments, memorials, and grounds in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Office of Education—General Expenses", on page 117, line 13, after the word "for", to strike out "\$20,000" and insert "\$21,500", so as to read:

For necessary traveling expenses of the Commissioner and employees acting under his direction, including attendance at meetings of educational associations, societies, and other organizations; for compensation, not to exceed \$500, of employees in field service; for purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture, and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and other expenses not herein provided for, \$21,500.

The amendment was agreed to.

The next amendment was, under the subhead "Vocational Education", on page 122, after line 11, to strike out:

All appropriations for vocational education under the Office of Education in this act shall be used exclusively for vocational-education purposes under the supervision of the Vocational Education Division of such Office.

The amendment was agreed to.

The next amendment was, under the heading "Government in the Territories—Territory of Alaska", on page 124, line 24, after the word "Railroad" and the colon, to strike out "The revenues of the Alaska Railroad received during the fiscal year 1930 shall be available, and continue available until expended, for" and insert "For", and on page 125, line 24, after the word "provided", to insert a comma and "\$160,000, in addition to all revenues received by the Alaska Railroad during the fiscal year 1939, to continue available until expended", so as to read:

The Alaska Railroad: For every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value; payment of amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided, \$160,000, in addition to all revenues received by the Alaska Railroad during the fiscal year 1939, to continue available until expended: *Provided*, That not to exceed \$6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1939, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than \$7,500: *Provided further*, That not to exceed \$10,000 of such fund shall be available for printing and binding.

The amendment was agreed to.

The PRESIDING OFFICER. That concludes the committee amendments with the exception of the one passed over.

Mr. HAYDEN. Mr. President, by direction of the committee, I offer certain amendments, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The first amendment offered by the Senator from Arizona on behalf of the committee will be stated.

The CHIEF CLERK. On page 3, line 18, after the word "For", it is proposed to insert "investigating official matters under the control of the Department of the Interior; for."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Arizona on behalf of the committee will be stated.

The CHIEF CLERK. On page 23, line 25, after the numerals "1934", it is proposed to insert a colon and the following additional proviso:

Provided further, That title may be accepted subject to a reservation of the oil, gas, and minerals to lands yet to be acquired through purchase or exchange under authority contained in this paragraph or in the act of June 14, 1934.

Mr. LODGE. Mr. President, is this an amendment relative to the oil lands?

Mr. HAYDEN. This relates to a \$40,000 appropriation for the purchase of lands.

Mr. LODGE. I have no objection.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Arizona on behalf of the committee will be stated.

The CHIEF CLERK. On page 24, line 15, after the name "District of Columbia" and the colon, it is proposed to strike out:

Provided, That within the States of Arizona, Colorado, New Mexico, and Wyoming no part of said sum shall be used for the acquisition of land outside of the boundaries of existing Indian reservations.

And in lieu thereof to insert the following proviso:

Provided, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of \$250,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further*, That no part of the sum herein appropriated or of this contract authorization shall be used for the acquisition of land within the States of Arizona, Colorado, New Mexico, and Wyoming outside of the boundaries of existing Indian reservations."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Arizona on behalf of the committee will be stated.

The CHIEF CLERK. On page 29, line 7, after the word "That", it is proposed to insert the following:

Hereafter the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before the expiration of 5 years, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding 20 years, in the discretion of the Secretary of the Interior: *Provided further*, That except for the Navajo Indians in Arizona and New Mexico not to exceed \$25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That hereafter the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid: *Provided further*, That not to exceed \$15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions and advances so made shall be reimbursed in not to exceed 8 years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That"

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Arizona on behalf of the committee will be stated.

The CHIEF CLERK. On page 42, after line 22, it is proposed to insert the following:

San Carlos project (Pima Reservation), Arizona: The Secretary of the Interior is hereby authorized to enter into a contract or contracts prior to July 1, 1939, for the development of additional power, San Carlos project (Pima Reservation), Arizona, at a total cost of not to exceed \$300,000, reimbursable

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Arizona on behalf of the committee will be stated.

The CHIEF CLERK. On page 63, after line 9, it is proposed to insert the following:

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed \$5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, and including not more than \$25,000 for visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, \$100,000, payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than \$5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a 30-day period, unless the Secretary of the Interior shall in writing approve a longer period: *Provided further*, That hereafter tribal funds shall be available for appropriation by Congress for traveling and other expenses, including supplies and equipment, of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Arizona on behalf of the committee will be stated.

The CHIEF CLERK. On page 78, after line 20, it is proposed to insert the following:

The Secretary of the Interior is authorized to furnish water for the use of the Arizona State Experiment Farm, embracing the west half southwest quarter section 28, township 9 southwest, range 23 west, Gila and Salt River meridian, together with such areas as may be added thereto, the cost, not exceeding \$750 annually, to be paid from the appropriations for the Gila project.

The amendment was agreed to.

Mr. HAYDEN. I offer an amendment to correct the spelling of a word.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The CHIEF CLERK. On page 133, line 7, after the word "special", it is proposed to strike out "instructions" and to insert "instruction."

The amendment was agreed to.

Mr. HAYDEN. I intend to offer a motion to suspend the rules. The Senator from Utah [Mr. THOMAS] has an amendment to offer.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah [Mr. THOMAS] will be stated.

The CHIEF CLERK. On page 79, after line 23, it is proposed to insert the following:

Ogden River project, Utah, \$100,000.

The amendment was agreed to.

Mr. HAYDEN. I offer a committee amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 85, after line 1, it is proposed to insert a new paragraph, as follows:

For cooperative investigations, including investigations in the so-called Dust Bowl, in cooperation with the Corps of Engineers, the Farm Security Administration, and other Federal agencies, of irrigation, flood control, and resettlement possibilities of proposed projects, \$200,000, of which \$25,000 shall be available for the proposed Altus project, Oklahoma; said funds to be available for expenditure by the Secretary of the Interior and by the Corps of Engineers, the Farm Security Administration, and other Federal agencies, upon transfer pursuant to agreement between the said Secretary and any of the said agencies.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. VANDENBERG. Mr. President, I inquire what is the purpose of the last amendment?

Mr. HAYDEN. The amendment was offered in the committee by the Senator from Oklahoma [Mr. THOMAS] and the committee directed that it be offered on the floor. It proposes to appropriate \$200,000 for the investigation of the irrigation possibilities of the Great Plains region where severe droughts have occurred. The \$200,000 will be ex-

pended, it is understood, from North Dakota and South Dakota clear down to Texas to determine whether or not, by cooperative action between the Corps of Army Engineers, the Resettlement Administration, and the Reclamation Service, certain projects may be developed in that area. None of them, in my judgment, will be very large.

Mr. VANDENBERG. Who is to make the investigation?

Mr. HAYDEN. It is a combined investigation by the Reclamation Service, the Corps of Army Engineers, and the Resettlement Administration.

The PRESIDING OFFICER. The amendment has been agreed to.

Mr. HAYDEN. Mr. President, under the notice that I gave to the Senate on Friday last, I move to suspend paragraph 4 of rule XVI—

Mr. MURRAY. Mr. President, I desire to offer an amendment to the bill before the Senator from Arizona makes his motion.

Mr. HAYDEN. I yield to the Senator from Montana, if he desires to offer an amendment.

Mr. MURRAY. I offer and ask to have read the amendment which I have sent to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert at the proper place in the bill, under the heading "Bureau of Reclamation," the following:

Marias River investigations: To enable the Secretary of the Interior, through the Bureau of Reclamation, to carry on engineering and economic investigations, including all necessary surveys, to determine the economic and financial feasibility of establishing a reclamation project in the valley of the Marias River in the State of Montana, \$50,000.

Mr. HAYDEN. Mr. President I regret that, under the instruction of the committee, I am compelled to make a point of order against the amendment. The investigation is not authorized by law. We have provided for general investigations, but it was agreed in the committee, inasmuch as a number of special amendments were suggested with respect to particular individual products throughout the United States, that there had better be a general appropriation such as I have indicated to look into matters of that kind rather than to specify certain particular products.

Mr. MURRAY. May I ask the Senator, is there, then, a provision in the bill now, making available funds to carry on the investigation suggested by the amendment?

Mr. HAYDEN. There is money available in the reclamation fund to conduct such an investigation.

Mr. MURRAY. Then, I understand that the investigation that is sought by this amendment will be carried on through funds that are already provided in the bill?

Mr. HAYDEN. The Reclamation Service now has authority by law, and the money is provided in the bill, to undertake this work if it is desired to undertake it. The committee did not believe, however, that it ought to specify particular projects, because if that were done, a great long list of them would be presented. So it was deemed best to leave it entirely within the discretion of the Reclamation Service.

Mr. MURRAY. Did the Bureau of Reclamation make a statement that it would carry on this investigation?

Mr. HAYDEN. No; we submitted to the representative of the Bureau the written list submitted by various Senators and the Bureau stated they would prefer not to be required to investigate particular projects, but that they would investigate all of them so far as they could, and, so far as the money available, would enable them to do so. In other words, I do not want the Senator to get the idea that a special agreement was made with respect to this project. I have no doubt, however, that the project will be examined.

Mr. MURRAY. Very well; with that explanation, I shall not insist on the amendment.

The PRESIDING OFFICER. Does the Senator from Montana withdraw his first amendment?

Mr. MURRAY. I understand a point of order has been made against it.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MURRAY. I offer another amendment and ask that it be read. I presume it is on the same basis as the amendment just ruled out.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed, under the heading "Bureau of Reclamation," to insert the following:

Missouri and Milk River Valley investigations: To enable the Secretary of the Interior, through the Bureau of Reclamation, to carry on engineering and economic investigations, including all necessary surveys, to determine the economic and financial feasibility of establishing reclamation projects in the valley of the Missouri and Milk Rivers in the State of Montana, \$40,000.

Mr. HAYDEN. Mr. President, I must make the same point of order against this amendment.

Mr. MURRAY. The same situation exists in that case as in the other, does it not?

Mr. HAYDEN. Exactly.

The PRESIDING OFFICER. The point of order is sustained.

Mr. HAYDEN. If there are no further amendments to be offered from the floor, in pursuance of the notice I gave which was printed in the CONGRESSIONAL RECORD, I move to suspend paragraph 4 of rule XVI in order that I may offer an amendment, which I ask to have read, and I will then be glad to explain it to the Senate.

The PRESIDING OFFICER. The question first arises on the motion to suspend the rule for the purpose of enabling the Senator from Arizona to offer the amendment.

Mr. KING. Let the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 81, after line 7, it is proposed to insert as a new paragraph the following:

Increase in the reclamation fund: That section 35 of an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", as amended, is amended by striking the proviso at the end thereof and inserting a period in place of the colon following the word "direct", and by adding the following paragraph:

"Fifty-two and one-half percent of all moneys which may accrue to the United States after June 30, 1938, from lands within the naval petroleum reserves, except those in Alaska, shall be covered into the reclamation fund, and the remainder shall be paid into the Treasury as miscellaneous receipts."

The Secretary of the Treasury is authorized and directed to transfer to the credit of the reclamation fund, created by the act of June 17, 1902 (32 Stat. 388), a sum equal to the difference between (1) 52½ percent of the moneys which the Secretary of the Treasury shall determine to have accrued to the United States from lands within the naval petroleum reserves, except those in Alaska, from February 25, 1920, to June 30, 1938, inclusive, and (2) the total of all sums advanced to the reclamation fund under the provisions of the act entitled "An act to authorize advances to the reclamation fund, and for the issue and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes," approved June 25, 1910 (36 Stat. 835), as amended, and under the provisions of the act entitled "An act to authorize advances to the reclamation fund, and for other purposes," approved March 3, 1931 (46 Stat. 1507), as amended, and not reimbursed by transfer from the reclamation fund to the general funds in the Treasury. The transaction provided for in this section shall be deemed to have effected a complete reimbursement to the general funds in the Treasury of all sums advanced to the reclamation fund under the provisions of such acts of June 25, 1910, and March 3, 1931, as amended.

All moneys received by the United States in connection with any irrigation projects, including the incidental power features thereof, constructed by the Secretary of the Interior through the Bureau of Reclamation, and financed in whole or in part with moneys heretofore or hereafter appropriated or allocated therefor by the Federal Government, shall be covered into the reclamation fund: *Provided*, That after the net revenues derived from the sale of power developed in connection with any of said projects shall have repaid those construction costs of such project allocated to power to be repaid by power revenues therefrom and shall no longer be required to meet the contractual obligations of the United States, then said net revenues derived from the sale of power developed in connection with such project shall, after the close of each fiscal year, be transferred to and covered into the General Treasury as "miscellaneous receipts": *Provided further*, That nothing in this section shall be construed to amend the Boulder Canyon Project Act (45 Stat.

1057), as amended, or to apply to irrigation projects of the Office of Indian Affairs.

Mr. HALE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Pittman
Andrews	Duffy	La Follette	Pope
Ashurst	Ellender	Lee	Radcliffe
Bailey	Frazier	Lodge	Reames
Bankhead	George	Logan	Reynolds
Berry	Gerry	Loneragan	Russell
Bilbo	Gibson	Lundeen	Schwartz
Bone	Gillette	McAdoo	Sheppard
Borah	Green	McCarran	Shipstead
Bridges	Guffey	McGill	Smathers
Brown, Mich.	Hale	McKellar	Thomas, Okla.
Bulkley	Harrison	McNary	Thomas, Utah
Bulow	Hatch	Maloney	Townsend
Burke	Hayden	Miller	Tydings
Byrd	Herring	Milton	Vandenberg
Byrnes	Hill	Minton	Van Nuys
Capper	Hitchcock	Murray	Walsh
Caraway	Holt	Neely	Wheeler
Clark	Hughes	Norris	White
Connally	Johnson, Calif.	O'Mahoney	
Copeland	Johnson, Colo.	Overton	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

Mr. HAYDEN. Mr. President, I desire to make a brief explanation for the purpose of the amendment.

The text of the amendment is identical with that of Senate Bill 3681, introduced by the Senator from Wyoming [Mr. O'MAHONEY] and myself, and favorably reported to the Senate by the Committee on Public Lands and Surveys.

As stated in the committee report, a number of years ago Congress passed a bill to authorize the leasing of petroleum deposits on the public domain, and provided that 52½ percent of all the proceeds of such leases should be paid into the reclamation fund.

Subsequently, Congress created what are known as the naval oil reserves. The theory of the naval oil reserves is not development, but conservation of oil in the ground. Looking into the future, there may come a time when other oil reserves in the United States will be entirely exhausted. It was, therefore, deemed to be the part of wisdom to set aside certain lands on the public domain, not to be drilled, but to hold the oil in the ground. Reserves of that kind have been created and successfully maintained.

However, certain naval oil reserves were created where there was a checkerboard situation, due to ownership of the alternate sections of land as the result of grants made to railroads in order to encourage their construction. It was known at the time the act was passed that a situation of that kind might develop, but it was hoped that by some arrangement of exchanges, or otherwise, the matter might be adjusted. It is my understanding that Congress subsequently passed legislation, or at least it passed this body, which would authorize exchanging these alternate sections so that all the naval oil lands would be in one body, and the other lands would be in another solid block; and that is a very desirable thing to do. We want the naval oil maintained in the ground; but if there is drilling, and the oil is taken out of the ground and sold, those of us who sponsor this proposal feel that the same principle should apply to naval oil as to any other income from lands owned by the public, and that 52½ percent of the proceeds should go into the reclamation fund.

Since 1920 a sum in excess of \$50,000,000 has been placed in the Treasury of the United States from the proceeds of leases on the naval oil reserves. This amendment provides that 52½ percent of the sums of money heretofore obtained in that manner, and 52½ percent of any money hereafter so obtained, shall go into the reclamation fund.

Some years ago it became necessary to borrow money from the General Treasury to supplement the reclamation fund. Twenty-five million dollars was borrowed, of which \$10,-

000,000 has been repaid at the rate of \$2,000,000 a year. Those payments were stopped a few years ago, on account of the depression, but this year we are again faced with a deduction of \$2,000,000 from the very meager amount of the reclamation fund. It was our idea to pay the debt of \$15,000,000 out of any credit that might come from 52½ percent of the naval oil money.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Massachusetts?

Mr. HAYDEN. I do.

Mr. WALSH. Do I correctly understand the Senator to state that under existing law, when public lands are leased or sold or otherwise disposed of, the income from them goes into a fund for reclamation purposes?

Mr. HAYDEN. Fifty-two and one-half percent of all money derived from any oil obtained on the public domain goes into the reclamation fund.

Mr. WALSH. I did not inquire about oil, but about other money from public lands.

Mr. HAYDEN. All of the money from the sale of public lands goes into the reclamation fund. That was the original source of the reclamation fund.

Mr. WALSH. To a fund used for reclamation projects?

Mr. HAYDEN. Yes.

Mr. WALSH. Is there an income from the leasing of public lands?

Mr. HAYDEN. Some slight income.

Mr. WALSH. Where does that go?

Mr. HAYDEN. It goes into the Treasury under what is known as the Taylor Grazing Act. That is a comparatively small amount of money.

Mr. WALSH. So the one source of income from public lands is from actual sales?

Mr. HAYDEN. From actual sales of lands, or leases for oil. The money from those two sources goes to the reclamation fund.

Mr. WALSH. That is, on public lands other than the naval petroleum reserves?

Mr. HAYDEN. The Senator is right. That is the situation we are trying to correct. It seems but fair that the reclamation fund should obtain 52½ percent of that money also. The remaining 47½ percent is more than ample, when paid into the Treasury, to cover the cost of anything paid out by reason of the Navy Department having to administer the naval oil reserves.

Mr. WALSH. But the 47½ percent does not go to the Navy Department.

Mr. HAYDEN. That is correct.

Mr. WALSH. Or it would not do so under the Senator's bill. It would go into the Public Treasury.

Mr. HAYDEN. It would go into miscellaneous receipts of the Treasury; but the Navy Department very properly points out that in its administration of the reserves it has not spent as much as the income by many millions of dollars. The point I am making is that the 47½ percent will be more than ample to compensate for any expenditure that is made because of the naval reserves.

Mr. WALSH. The position of the Navy Department, as the Senator probably knows, is one of fear that there will be an agitation to increase the exploitation of these oil wells, and that that pressure and that effort, which already exist and have always existed, will be augmented by the desire to increase this fund, and therefore will eventually lead to tapping these oil reserves and diminishing the supply for future uses.

Mr. HAYDEN. I do not blame the naval officials, in the light of the experience they had in the Harding administration, because of the great Teapot Dome scandal. There was then a deliberate attempt to rob the naval oil reserves. There is not any question about that.

Mr. WALSH. And since that time, they inform me—the Senator perhaps can confirm this statement—that in counties and communities where the reserves are located

there is constant pressure to lease them or to tap them, so as to provide employment, and so as to develop business in the particular communities.

Mr. HAYDEN. I think the Senator is mistaken.

Where a situation of alternate sections existed, there were certain oil leases on the sections when the Government finally obtained title to them. There was pressure upon the part of operators who were taking oil out of the naval reserves to be allowed to continue in business, and, of course, that might affect the business of the localities. But where a naval reserve as such has been set up, and where the matter is not complicated with the alternate-section situation, there has been no effort anywhere in the United States to disturb it, because it would be unpatriotic to think of going into a reserve of that kind.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. I think I might answer the Senator from Massachusetts upon that point by a specific illustration.

The Teapot Dome, a naval reserve, was located in the State of Wyoming, in the county of Natrona; and there never was a single suggestion from the county or from the State of which I have any knowledge whatsoever for the opening of that dome.

It was not until the suggestion came from persons living altogether outside the boundaries of the State—an oil operator in California, an oil operator from Oklahoma or Texas, and a Secretary of the Interior from New Mexico—that the Teapot Dome was leased.

Mr. WALSH. Of course the Teapot Dome is now, to all intents and purposes, sealed up.

Mr. O'MAHONEY. Absolutely.

Mr. WALSH. And there is no problem there of leakage or sale; but there is such a problem in the two reserves in California.

Mr. O'MAHONEY. Of course the reserves in California are complicated by the situation which has already been described of alternate sections of land, some owned by the Government and some owned by private interests, which it is desired to exchange.

Mr. HAYDEN. Mr. President, in that connection let me state, with respect to the California situation, that the Senator from Massachusetts [Mr. WALSH], as chairman of the Committee on Naval Affairs, has piloted through this body a very satisfactory piece of legislation which is now pending before the House Committee on Naval Affairs. It provides for consolidating the naval oil lands in order to get rid of the checkerboard so that the Government will have its oil in one body of land and the private owners will have their lands in another. That is a highly desirable piece of legislation and with its enactment I am satisfied the Navy Department will be able to retain the entire values of the Government oil.

In addition let me point out one other thing which indicates that there is no disposition on the part of anyone to disturb the situation. Only recently, on the 21st of March, the Secretary of the Interior issued an order that there should be no drilling on any public lands surrounding a naval oil reserve within a mile of the boundary. This order shows the strongest and best kind of cooperation between the Interior Department and the Navy Department with respect to these reserves. I can say truthfully to the Senator that so far as I have talked with those interested in this problem in the West they all want the naval oil saved in the ground. I ask that a statement of the Department, with regulations issued, be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

There being no objection, the statement and regulations were ordered to be printed in the RECORD, as follows:

Issuance of stringent regulations, protecting from private exploitation the Nation's petroleum resources in the Teapot Dome, Wyo., Elk Hills, Calif., and all other portions of the approximately 70,000 acres of naval petroleum and military and naval helium re-

serves, was announced today by Secretary of the Interior Harold L. Ickes.

Part of the intensive program carried on during the past 5 years to reserve these valuable deposits of oil and helium for public ownership, instructions have been given to registers of the General Land Office to reject applications for oil and gas leases on lands within 1 mile of the exterior boundaries of a naval petroleum or a military or naval helium reserve.

Following closely upon the verdict of the Federal court in southern California, declaring section 36 in the Elk Hills sector to be Government property, and assessing more than \$6,000,000 in damages upon the Standard Oil Co. of California, and a similar finding by Commissioner Fred W. Johnson, of the General Land Office, that section 16, in the same area, should be similarly classified, the new regulations issued by Secretary Ickes today marks a significant forward step in the efforts of the Department of the Interior to preserve the Nation's oil resources for the benefit of all the people.

"It is now the established policy of the Department not to grant permits within 1 mile of a naval petroleum reserve," Secretary Ickes explained today.

That policy was first promulgated in response to recommendations of the President's Commission on Naval Oil Reserves, in May 1924, and was reemphasized in a ruling of the Department of the Interior in October 1933.

"In order that a regulation expressing adequately the present policy of the Department may be included in the code of General Land Office regulations, the present order was issued to all registers," Secretary Ickes said.

Although the original departmental order was made applicable to only naval petroleum reserve 1, Elk Hills, and 3, Teapot Dome, the present instructions involve also the Buena Vista petroleum reserve in California, and undetermined acreage of potential petroleum resources near Point Barrow, Alaska, and the military and naval helium reservation in Utah.

The 1-mile restriction limit, incidentally, is imposed because mining experts estimate it affords adequate margin of protection from draining of the oil resources by private wells outside the reservation.

REGULATIONS GOVERNING OIL AND GAS LEASE APPLICATIONS FOR LANDS WITHIN 1 MILE OF CERTAIN RESERVES

Registers, District Land Offices.

Sms: May 1, 1924, the Department directed that no filings under section 13 of the act of February 25, 1920 (41 Stat. 437), should be allowed for lands within 1 mile of the exterior boundaries of naval petroleum reserves Nos. 1 and 3. By decisions of the Department rendered subsequent to that date, these instructions have been extended to all naval petroleum reserves and to the military and naval helium reserve.

Inasmuch as the Department's instructions of May 1, 1924, do not adequately express the present policy of the Department, the following regulation is hereby adopted:

"No application for an oil and gas lease under the act of February 25, 1920 (41 Stat. 437), as amended, will be allowed for lands within 1 mile of the exterior boundaries of a naval petroleum reserve or military and naval helium reserve."

In accordance with the foregoing, you are directed to reject, subject to the right of appeal, all oil and gas lease applications for lands within 1 mile of the exterior boundaries of a naval petroleum reserve or military and naval helium reserve.

Very respectfully,

FRED W. JOHNSON,
Commissioner.

Approved March 21, 1938.

HAROLD L. ICKES,
Secretary of the Interior.

Mr. WALSH. Mr. President, I think the issue is a very narrow one. I am sure that all Senators here feel as strongly as I do, and as the Navy does, that we should conserve these petroleum deposits. The issue is simply whether there should be a transfer of receipts from the existing leases, so that instead of being in the general fund in the Public Treasury, they should be used for reclamation purposes. Is not that correct? The Navy's position is that it is better to have them treated as general Treasury funds, because it is feared that otherwise there will greater likelihood of pressure being exerted to increase the funds.

Mr. HAYDEN. In my judgment, that is a wholly unfounded fear.

Mr. WALSH. Have I stated the issue correctly?

Mr. HAYDEN. Yes; that is all there is that stands in the way of the enactment of the legislation I have proposed.

Mr. WALSH. How does the Committee on Appropriations feel about this aspect of the question? Are they disposed to suggest that appropriations for all activities of the Government, including reclamation activities, should go through the regular channel of being included in appropriation bills and marked as appropriations for given purposes, or are

they willing to have a diversion of these particular funds for this purpose?

Mr. HAYDEN. That is where there was another mistake. Receipts from the sale of public lands, receipts from oil, and all similar receipts, are paid into the Federal Treasury as miscellaneous receipts. After they get into the Treasury, by a bookkeeping arrangement a record is made as to what they are, but not a dollar can come out of the Treasury unless it is appropriated by the Congress. If the Senator will examine the Interior Department appropriation bill he will find that each appropriation is made annually by Congress. There is no thought on the part of anyone that because certain of the revenues from the naval oil reserves or the revenues from oil on the public domain is to be devoted to reclamation purposes that it shall go there automatically. It must be done by annual appropriations by Congress based upon Budget estimates in the regular way.

Mr. WALSH. What is the occasion, then, for labeling these funds for this particular use if there has to be included in each appropriation bill an outright appropriation for the total amount of money to be expended for reclamation?

Mr. HAYDEN. The arrangement which is followed is that so much money comes in from the sale of public lands, and so much from oil, and that amounts on the books to a certain sum of money. Such sums are then earmarked to the reclamation fund. The Budget estimates are limited by the size of that fund.

Mr. WALSH. But the appropriation bill designates only the amount of money needed for reclamation projects, in addition to this fund.

Mr. HAYDEN. No; out of the reclamation fund.

Mr. WALSH. Out of that fund?

Mr. HAYDEN. Yes.

Mr. HALE. Out of existing funds.

Mr. WALSH. Yes; I thank the Senator from Maine.

Mr. HAYDEN. If the reclamation fund is not augmented, then the work is slowed down on all reclamation projects.

Mr. WALSH. What is the fund that could be made available under the amendment?

Mr. HAYDEN. About \$29,000,000.

Mr. WALSH. That is my recollection. What is the annual income from the naval oil leases?

Mr. HAYDEN. The last information I have fixes it at about a million and a half dollars a year, but it will decrease.

Mr. WALSH. What was the position of the Committee on Appropriations about this amendment?

Mr. HAYDEN. The proposal is based upon action taken by the Committee on Public Lands and Surveys and not by the Committee on Appropriations. I am moving on my own responsibilities to suspend the rules.

Mr. WALSH. Did the Senator bring the amendment before the Committee on Appropriations?

Mr. HAYDEN. No; this proposal is not approved by the Committee on Appropriations but is approved by the Committee on Public Lands and Surveys. I have discussed the matter before that committee, but the Committee on Appropriations cannot recommend this type of legislation. The only way I could bring the proposal before the Senate was on my own motion to suspend the rules.

Mr. WALSH. I understand. I was curious to know about it, and I hope that some time before the debate is over we will get the viewpoint of the Committee on Appropriations as well. I understand the Committee on Public Lands and Surveys has approved the amendment.

Mr. HAYDEN. Yes; but the Committee on Appropriations has not acted upon it, and it could not, under the rules of the Senate.

Mr. GILLETTE. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. GILLETTE. As the Senator's proposed amendment is drawn, 62½ percent of the \$29,000,000 of the accumulation—

Mr. HAYDEN. Fifty-two and one-half percent.

Mr. GILLETTE. Fifty-two and one-half percent of the \$29,000,000 which has already accrued and covered into the miscellaneous receipts of the Treasury will be available for reclamation purposes?

Mr. HAYDEN. No; 52½ percent of more than \$50,000,000 will be made available, amounting to about \$29,000,000.

Mr. GILLETTE. In addition to that, if the amendment shall be agreed to, there will be available for the reclamation fund 52½ percent of any accruals which develop by way of royalty on the public land.

Mr. HAYDEN. That is correct. My information is that that might amount to possibly a million or a million and a half dollars, decreasing each year, because the Navy is shutting down wells. When they shut them all down there will be no further production of oil from the naval reserves, and they will be accomplishing the purpose for which they were designed.

Mr. GILLETTE. I think the Senator is correct, that at present the amount is about \$1,600,000. But does the Senator have in mind that in reserve No. 1 in California, where the Standard Oil Co. owns alternate sections, if they start drilling it will become necessary immediately for the Government to start offset wells in their alternate sections, and approximately 16 miles of boundary will have to be brought under the program, with the consequent increase of royalties?

Mr. HAYDEN. My thought is that if the House of Representatives acts on the bill which the Senator from Massachusetts [Mr. WALSH] and the Senator from Iowa [Mr. GILLETTE] piloted through the Senate, the California situation will be immediately corrected, because the Secretary of the Navy is not only given power to negotiate to consolidate these lands but the power to condemn if necessary. As a matter of fact, no increase in the amount of drilling is anticipated.

Mr. ADAMS. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. ADAMS. A good many years ago I had the good fortune to be a member of the Committee on Public Lands and Surveys when it investigated the Teapot Dome and other naval oil reserve matters under the leadership of the late Senator Walsh, of Montana. Naturally I have been interested in what has followed as a result of that investigation.

I have made inquiry as to the net amount that was recovered to the United States Treasury as a result of that investigation and the litigation which followed, and I find that there has been recovered as a result of the investigation, which had to do with naval oil reserves, in cash, \$24,740,000; in oil-storage facilities, \$7,350,000; in value in oil, \$1,986,000; in the estimated cost of wells and equipment on lands that were taken over when the leases were canceled, \$7,500,000, or a total of \$41,577,580. That was the recovery to the United States due to the activity of the Committee on Public Lands and Surveys.

I shall ask permission to have inserted in the Record a letter from Capt. H. A. Stuart, of the United States Navy, Director, Naval Petroleum Reserves, setting forth this information.

I am making this statement partly because it should be a matter of record, partly because the bill which is now under discussion came through the Committee on Public Lands and Surveys. I merely desire to make clear that the Committee on Public Lands and Surveys still has in its membership Senators who were interested in the original investigation, in the recovery for the Navy of these great reserves, and in recommending the adoption of the amendment which the Senator from Arizona has offered to the pending bill. We did not feel that any injury or any impairment to the Navy was possible; on the contrary, that it was applying to a great public development certain funds now in the Treasury, which came from the public lands of the West, and which would go into a fund, which, in the development of reclamation projects, must be reimbursed.

The reclamation expenditures are reimbursed. They are not like expenditures for many other purposes made by various appropriation acts and when the money is expended and is gone.

For some reason there seems great disposition to contest every appropriation for reclamation. Among the appropriations made by the Government, the reclamation appropriation is the only one as to which the money is reimbursable to the Treasury. We make appropriations to repair damages caused by floods, we make appropriations for rivers and harbors, we make appropriations in vastly greater sums without question in connection with which there is no reimbursable feature; but for some reason or other, every time an effort is made to appropriate money for the development of the West, when the money is to be repaid by the West, then opposition seems to develop. That is true with respect to the Interior Department appropriation bill. Every time the Interior Department bill comes up for consideration it is disclosed that it is the smallest of the departmental appropriation bills, and yet it is the bill which receives more opposition and is the cause of more contention than any other.

Following the consideration of this bill the Senate will consider a bill appropriating some \$500,000,000 for the Army. We have had before us bills making appropriations for the Navy in as large a sum or even larger. We have acted upon independent offices bills appropriating one and one-half billion dollars. Other bills go through without much opposition, but for some reason or other there is always a determined opposition against the lending of money to the settlers in the West who are trying to build up the resources of the Nation.

I referred to a report I had received from Captain Stuart. I ask that his letter to me, with his report, be printed in the RECORD.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

NAVY DEPARTMENT,
Washington, November 30, 1937.

HON. ALVA B. ADAMS,
United States Senate, Washington, D. C.

MY DEAR SENATOR ADAMS: In response to the telephoned request made by your office today, there is attached hereto a memorandum supplementing the information furnished you with my letter of November 22, 1937.

Very truly yours,

H. A. STUART,
Captain, United States Navy,
Director, Naval Petroleum Reserves.

MEMORANDUM RE NAVAL PETROLEUM RESERVE NO. 1 IN CALIFORNIA
Subject: Litigation Involving Pan American Petroleum Co. and other interests of the late E. L. Doheny.

CASE B-100-M

On March 17, 1924, special counsel for the United States filed suit in the United States district court for southern California against the Pan American Petroleum Co. and Pan American Petroleum & Transport Co. for the purpose of canceling two oil and gas leases aggregating 31,050 acres of lands in Naval Petroleum Reserve No. 1 held by the Pan American Petroleum Co. and of terminating two contracts covering the construction of certain oil storage facilities, aggregating approximately 4,000,000 barrels, at Pearl Harbor, Territory of Hawaii, on the grounds of conspiracy, fraud, and other illegalities.

On May 28, 1925, the district court found, in general, in favor of the Government; on January 4, 1926, the decision of the district court was affirmed by the United States court of appeals and on February 28, 1927, the United States Supreme Court, in a unanimous decision, upheld the decision of the court of appeals.

Pursuant to the above court decisions a judgment in the sum of \$13,013,151.76 was entered against the defendant companies. The above judgment represented \$9,098,287.48 in royalty products turned over to the Pan American Petroleum & Transport Co. as payment for the construction at Pearl Harbor and \$3,914,864.28, the value of 1,500,000 barrels of fuel oil stored in the Pearl Harbor tanks, the lessee's share of production from the canceled leases, profits thereon, interest, and court costs. The defendant companies were financially responsible and paid the judgment into the Treasury of the United States in September 1927.

CASE B-115-M

On September 3, 1924, special counsel for the United States filed suit in the United States District Court, Southern District in

California, to cancel the so-called E-G-I lease of the Pan American Petroleum Co. involving an additional 662 acres of land in Naval Petroleum Reserve No. 1.

On November 8, 1930, the United States district court rendered a decision against the United States; on February 5, 1932, the United States court of appeals reversed the decision of the district court; and on November 7, 1932, the United States Supreme Court denied the defendants a review of the circuit court's decision.

On January 14, 1933, by a decree upon mandate, a judgment in the sum of \$9,277,666.17 was entered in favor of the United States to cover the value of the lessee's shares of oil, gas, and gasoline produced from the canceled lease.

Prior to the settlement of the above litigation control of the defendant company, the Pan American Petroleum Co., had passed to the Richfield Oil Co., and both companies had been forced into receivership.

Because of the involved nature of the receiverships, the Government agreed to accept the sum of \$5,500,000, to be paid from the assets of the receiver of the Richfield Oil Co., in settlement of the Government's claim against assets of the Pan American Petroleum Co., but reserved the right to proceed against E. L. Doheny in an effort to collect the balance of \$3,777,666.17, with interest, still due on the judgment. The compromise was effected and \$5,500,000 was paid by the Richfield receiver into the United States Treasury on May 14, 1935.

SUIT NO. 6726 (H)

On March 5, 1936, counsel for the United States brought suit against the executors of the estate of E. L. Doheny, deceased, for the sum of \$5,188,721.77, with interest at 7 percent per annum after May 14, 1935.

Attorneys for the Doheny estate sought a settlement of this suit out of court, and a compromise involving the payment of \$3,000,000 to the United States was agreed upon. This sum was paid into the United States Treasury April 14, 1937.

SECTION 36 CASE

On June 14 and 15, 1933, the Secretary of the Interior held hearings in the so-called "36 case," involving the known mineral character of section 36, township 30 south, range 23 east, Mount Diablo meridian, on January 26, 1903, a section of land in the center of naval petroleum reserve No. 1 held by claimants under titles as transferees of State of California; on January 24, 1935, the Secretary rendered his opinion in favor of the Government and stated therein, in part:

"It follows from the conclusions of fact and of law herein set forth that section 36, township 30 south, range 23 east, Mount Diablo base and meridian, was known to be mineral in character at the time of its formal identification by approval of the survey, and that title to this section has never vested in the State of California or its transferees but remains in the United States."

Section 36 was claimed by the Standard Oil Co. of California, Frank Carman, Charles Fairbanks, Mrs. Sidney H. Greeley, Edward L. Doheny, and Thomas A. O'Donnell—the said Doheny, Greeley, and O'Donnell interests claiming lots 1 and 2 thereof, 54 acres, which lots had been leased by claimants to the Pan American Petroleum Co.

Special counsel for the United States filed suit against claimants to section 36 in the United States district court, Fresno, Calif., on January 20, 1937.

On April 22, 1937, attorneys representing the Doheny interests sought a settlement out of court of that part of the section 36 case involving lots 1 and 2. In connection with the proposed settlement all claimants to lots 1 and 2, including the lessee, the Pan American Petroleum Co., relinquished to the United States all interests in and titles to the lands concerned, and attorneys for the Doheny estate paid to the United States Treasury \$100,000 in settlement of all claims against the former lessee and the royalty owners; all actions involving these litigants in the section 36 case were then dismissed.

On June 13, 14, and 15 Judge Leon R. Yankwich heard arguments of counsel for the remaining defendants, Standard Oil Co., Carman, Fairbanks, et al., on their plea to have the case transferred from the equity to the law side of the court.

On August 25, 1937, Judge Yankwich upheld the Government's plea that the case be tried in equity as well as its motions to dismiss and to strike certain defenses attacking the Secretary of the Interior's decision; the court in its opinion found the Secretary's decision and action in the case to be final as it pertained to the known mineral character of the land on January 26, 1903, and sustained the Secretary's conclusion that title to the property never had left the United States.

On November 8 to 12 arguments were heard by Judge Yankwich at Fresno, Calif. The court has not yet rendered its opinion, but a decision thereon is expected in December 1937.

INCOME TAX REFUND

In addition to the sums of \$5,500,000 and \$3,000,000 paid by the receiver for the Richfield Oil Co. and attorneys for the Doheny estate to satisfy the Government's judgment in the case B-115-M above, the sum of \$191,214.28 due the Pan American Petroleum Co. for overpaid income taxes was credited against the Government's judgment on November 6, 1933; thus the Government has recovered to date \$8,691,214.28 of the \$9,277,666.17 due it in the above action.

The result of all litigation involving naval petroleum reserves Nos. 1 and 3 has been:

Recovered from E. L. Doheny interests:

Case B-100-M-----	\$13,013,151.76
Case B-115-M-----	8,691,214.28
Section 36 case-----	100,000.00
	<hr/> 21,804,366.04

Recovered from Harry Sinclair interests:

Mammoth Oil Co.-----	3,509.19
Sinclair Crude Oil Purchasing Co.-----	2,906,484.32
Recovered from Midwest Refining Co.-----	19,799.14
Recovered from Stanolind Pipe Line Co.-----	6,465.19
	<hr/> 2,936,257.84

In all a sum of \$24,740,623.88 in money.

In capitulation, 31,766 acres of lands in Naval Petroleum Reserve No. 1 and 9,321 acres of lands in Naval Petroleum Reserve No. 3 were returned to the jurisdiction of the Navy Department as a result of the leases canceled by the courts and the relinquishment of claims to lots 1 and 2 in section 36. The Navy Department has also come into possession of oil storage facilities at Pearl Harbor which cost the Pan American Petroleum & Transport Co. \$7,350,814.11 to construct and 1,500,000 barrels of fuel oil placed in the above storage by the Pan American Petroleum and Transport Co. at a cost of \$1,986,142.47, or a total value of \$9,336,956.58 in addition to moneys paid into the United States Treasury. Oil and gas wells and other facilities which were placed on the lands by the lessees during the period the lands were under lease and which it is estimated cost the lessees in the neighborhood of \$7,500,000 have also come into the possession of the United States as a result of this successful litigation.

NAVY DEPARTMENT,
Washington, November 22, 1937.

HON. ALVA B. ADAMS,
Room 259, United States Senate, Washington, D. C.

MY DEAR SENATOR ADAMS: Pursuant to the telephoned request made by Mr. Scott, of your office, there is attached hereto a short memorandum relating to naval petroleum reserve No. 3 (Teapot Dome) in Wyoming. Should additional information on this subject be necessary, this office will be happy to furnish it.

Very truly yours,

H. A. STUART,
Captain, United States Navy,
Director, Naval Petroleum Reserves.

MEMORANDUM FOR SENATOR ALVA B. ADAMS

Subject: Naval petroleum reserve No. 3, in Wyoming (Teapot Dome).
Naval petroleum reserve No. 3 (comprising 9,321 acres of lands in Natrona County, Wyo., adjacent to the Salt Creek oil field) was created by President Wilson by Executive order dated April 30, 1915, under authority vested in him by the Pickett Act, act of June 25, 1910 (36 Stat. 847).

All of the land in the reserve was included in a lease to the Mammoth Oil Co. dated April 7, 1922, signed by Albert B. Fall, Secretary of the Interior, and by Edwin Denby, Secretary of the Navy, on behalf of the United States, and by H. F. Sinclair, president, on behalf of the lessee.

Suit was brought by the Government in the Federal court in Wyoming to cancel the Mammoth Oil Co.'s lease to naval petroleum reserve No. 3, and on March 13, 1924, Rear Admiral Strauss and A. E. Watts were appointed receivers by the court.

The Mammoth Oil Co.'s lease was set aside by a decision of the United States Supreme Court on April 13, 1927, in the case of *United States v. Mammoth Oil Co.* (275 U. S. 13).

Prior to the receivership 65 oil wells and 12 gas wells were drilled on the naval reserve. The total production from these oil wells has been 3,550,228 barrels, of which amount 1,442,496 barrels were produced by the Mammoth Oil Co. before the receivership. In addition to the oil produced, 5,162,869,000 cubic feet of natural gas and 2,483,896 gallons of gasoline were produced and sold by the Mammoth Oil Co. and the receivers. The estimated value of the products produced is \$6,364,436.22, of which amount \$848,947.91, or 13.33 percent, accrued to the Government as royalties under the terms of the lease.

The United States Geological Survey, of the Department of the Interior, has estimated that the original recoverable oil content of naval petroleum reserve No. 3 by present known methods of production was probably about 20,000,000 barrels, which estimate leaves about 16,500,000 barrels still remaining in the reserve as a result of the cancellation of the Mammoth Oil Co.'s lease.

The income to the Government from its ownership of naval petroleum reserve No. 3 to July 1, 1937, has aggregated \$6,035,657.70; derived from litigation and receiverships, \$5,936,540.15; sale of materials, \$47,764.53; rental of oil-field storage and equipment, \$44,421.91; rental, grazing rights, \$883.84; and royalties paid in cash, \$6,047.27.

Naval petroleum reserve No. 3, located far inland, is a small, though valuable, underground reserve of good-quality oil which can be conserved without loss indefinitely.

Mr. BILBO. Mr. President, in connection with the observation made by the Senator from Colorado, with respect to

one Senator from the South, I wish to assure him that I have never manifested any intention or effort to oppose anything that my colleagues wanted for the development of that great part of our country, the West.

Mr. HALE. Mr. President, the lands in question are naval oil lands. The oil on them is naval oil. I have always thought that any revenues obtained from the leasing of these lands ought to come back to the Navy, but it has not been found possible to make any such arrangement. I should like to ask the Senator from Arizona why should this money, instead of going back to the Navy—and the Lord knows the Navy needs it—go to the Interior Department to be used by the Reclamation Service?

Mr. HAYDEN. If the Senator will pardon me, I think he will not say that the Navy needs it with the idea of in any sense conveying the idea that Congress has failed at any time to make ample appropriations for the Navy. Congress is making larger and larger appropriations for the Navy every year.

Mr. HALE. I think the Congress on the whole has done quite well for the Reclamation Service.

Mr. HAYDEN. The amount of money we are talking about is some twenty-eight million or twenty-nine million dollars, and perhaps a million or so dollars a year hereafter, which is only a drop in the bucket when compared with the amount appropriated for the Navy.

However, a portion of the Senator's question deserves a more detailed answer. These lands were public lands of the United States, and if the naval oil reserve had not been created they would have been drilled for oil, and 52½ percent would have gone normally to the Reclamation Service. But those of us who live in the West, having the same feelings of patriotism that actuate Americans elsewhere, were perfectly willing to have the oil saved in the ground. So long as it remains in the ground we are happy, but if it is drilled, then we feel a problem is presented, because then the revenues, instead of accruing, as they normally would, to the extent of 52½ percent to the reclamation fund, go into miscellaneous receipts. We feel that so long as there is drilling the reclamation fund should have its share of the receipts.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me?

Mr. HALE. I yield.

Mr. O'MAHONEY. I might add just a word to what my distinguished colleague from Arizona has said, in response to the question of the Senator from Maine, by adverting briefly to the history of the creation of the reclamation fund and the treatment of the public lands.

Within the past 20 years there has been a great change in the manner in which the Federal Government has disposed of the public lands. From the time of Abraham Lincoln down to the passage of the Oil and Gas Leasing Act, or, prior to that, to the time of the creation of the forest reserves under the administration of Theodore Roosevelt, the public land was given away to those who would settle upon it, either by way of homestead or by way of mineral claim, and when persons, complying with the homestead laws or the mineral laws, established themselves upon the land, they received a complete and full title to the land, and the land immediately went upon the tax roll to support the local communities, the cities, the counties, and the State.

When the forest reserves were created, the homestead laws were suspended with respect to every acre of land that was included within the forest reserves.

Then during the administration of President Taft all those lands which were deemed to be valuable for oil and gas, which theretofore had been subject to private claim under the placer mining law, were withdrawn from entry, so that no person thereafter could go upon those lands and under the placer mining law establish private title thereto, and in that manner put them on the tax roll. For years Congress argued about the method by which these withdrawn lands should be handled, and finally in 1920, when the Mineral Leasing Act was passed, it was decided that the Government

should for all time, or at least until Congress again acted, retain the title to these lands, but lease them for development.

When the reclamation law was passed, in the administration of Theodore Roosevelt, the reclamation fund was created as a revolving fund. There was an appropriation with which it was initiated. Then it was provided that all the income of the Federal Government arising from the sale of public lands should go into the reclamation fund. The purpose was to use these moneys as a revolving fund to reclaim the arid West, to make it possible for persons to settle upon these lands.

As the years passed and the tendency for the Federal Government to hold onto the land, instead of allowing title to pass, increased, the time came when, 2 or 3 years ago, we suspended all homesteading upon the public domain, and passed what is known as the Taylor Grazing Act, by which all of the remaining public domain is now held by the Government just as the oil lands are held, and just as the forest lands are held, and no private title may now be asserted to any of these so-called grazing lands.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. BORAH. When I came to the Senate, 79 percent of the State of Idaho was under the control of the Federal Government, and from it the State of Idaho derived no taxes and no income whatever. One can imagine the condition of the Western States by reason of such a condition. They were circumscribed in their development because of the fact that the Federal Government had withdrawn the public lands from private entry.

Mr. O'MAHONEY. I thank the Senator from Idaho for that comment. What the Senator has said with respect to Idaho applies with equal force to all the Rocky Mountain States. But the point to which I wanted to direct the attention of the Senator from Maine, the Senator from Idaho, and the distinguished chairman of the Committee on Naval Affairs, is that by the suspension of the sale of public lands, Congress has stopped the income to the reclamation fund from that source. No more are lands sold, and therefore there is no more accretion to the reclamation fund from that source.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. The Senator has been discussing very ably the situation in the Western States regarding the control of our land being held by the Federal Government. The Senator has mentioned the fact that homesteading has been withdrawn. He is without doubt familiar with the fact that in recent years the Federal Government has not only entirely changed its policy of placing land in private ownership, but has gone into many of our Western States—I do not know about the Senator's State of Wyoming, but I do know that it is true in my State of New Mexico—and has made large purchases of land theretofore under private ownership, subject to the payment of taxes, and has withdrawn thousands of acres of that sort of land in the State of New Mexico, and probably in the State of Wyoming.

Mr. O'MAHONEY. The Senator, of course, states the fact. Thousands of acres were so purchased in the State of Montana, in the State of Wyoming, in the State of Utah, and in all the Rocky Mountain West. But the point I am emphasizing is that when the Mineral Leasing Act was passed Congress agreed that as a compensation to the States for that act of taking away the lands, and thus making it no longer possible to reduce those lands to private ownership, 52½ percent of all the royalties derived from the leasing of the public lands should go to the reclamation fund, 10 percent into the Treasury, and 37½ percent to the States in which the lands lay. The naval reserves were not included.

Mr. WALSH. What was the date of that act?

Mr. O'MAHONEY. February 1920. The naval reserves were not included in that provision because, as the Senator from Arizona has said, the belief was entertained at that

time that there probably would be very little development of the naval reserves. It was recognized that in California there would necessarily be some development.

The Secretary of the Navy—Secretary Daniels at that time—was authorized to develop these lands on behalf of the Navy. That authority, as I recall, was contained in the naval appropriation bill at that time. The leasing act, however, confirming as it did the creation of the naval reserves, did not make any provision for the division of the lands. But the fact remains that the royalties which have been derived and are now being derived from the operation of the naval reserves go not to the Navy but into the Treasury. They have been expended for all manner of purposes.

The proposal before us takes nothing from the Navy. It does not provide for the development of the naval reserves. The proposal before us does not lead to the exploitation of the naval reserves.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. GILLETTE. I should like to ask the Senator from Wyoming a question. I do not question in the least his argument that the States have been deprived of a source of revenue from these public lands. If that is true, why is there no provision in this particular bill that a percentage of the fund shall go to the States, which provision has been included in every similar bill which has been presented up to the present time?

Mr. O'MAHONEY. I shall be very frank with the Senator. The purpose was to indicate that we were not trying to take funds from the Federal Treasury for any but Federal purposes.

Mr. GILLETTE. The Senator has just been arguing that the States are entitled to this benefit because they have been deprived of a fund. The Senator's argument has much cogency and force.

Mr. O'MAHONEY. I was so arguing; but we did not ask that 47½ percent of this fund be turned over to the States, as 47½ percent of the royalties from the public domain are turned over, because we did not want to put ourselves in the position of even seeming to be trying to take money from the Federal Treasury for the benefit of the States. We did ask, however, that 52½ percent of the royalties go to the reclamation fund, which is the same percentage provided for in the general leasing act for leases upon the public domain. The reason for that, of course, is that the reclamation projects are in the arid-land States, where the naval reserves and the oil reserves are.

Take my own State as an example: Natrona County, where Teapot Dome lies and where the Salt Creek field lies, has contributed in excess of \$54,000,000 to the oil royalty fund, of which 52½ percent went to the reclamation fund. None of the funds from the Teapot Dome, which were small, went into the reclamation fund. By reason of the authorization by Congress of the construction of the Kendrick project, formerly known as the Casper-Alcova project, when the oil fields of Natrona County are completely exhausted there will remain upon the surface of the land the development financed by the oil royalties.

The same condition applies to all the western arid-land States. We are asking help to obtain some exchange for the great contribution, by way of oil royalties, which the Western States are making to the Federal Treasury.

Bear in mind that the source of our revenue for the reclamation fund has been taken away. The proposal under consideration does not take a dollar from the Navy.

Mr. HALE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HALE. Will the Senator inform me how large the reclamation fund is?

Mr. O'MAHONEY. Will the Senator from Arizona [Mr. HAYDEN] refresh my memory on that point?

Mr. HAYDEN. Mr. President, there is about \$14,000,000 in the fund at the present time. It has dwindled until it is hardly large enough to function.

Mr. HALE. What is the normal size of the fund from year to year?

Mr. HAYDEN. In recent years we have been receiving about \$7,000,000 or \$8,000,000 in accretions to the reclamation fund from repayments by settlers, which represent the principal source of income, and some money from the oil leases. At the present moment the fund stands at about \$14,000,000.

Mr. HALE. How much would be added by way of revenue if the proposal under consideration were agreed to?

Mr. HAYDEN. It would add about \$11,000,000 or \$12,000,000 to the fund.

Mr. HALE. So that the size of the fund would be more than doubled if the same amount were obtained every year?

Mr. O'MAHONEY. It is not possible to obtain such an amount every year.

Mr. HAYDEN. The most we can expect to receive from year to year is \$1,000,000 or \$1,100,000, as the Senator from Iowa [Mr. GILLETTE] has indicated.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WALSH. Of course, it is clearly understood by the Senator from Wyoming and the Senator from Arizona that the Navy has no concern whatever with the expenditure of United States funds for reclamation projects.

Mr. O'MAHONEY. Certainly.

Mr. WALSH. The Navy is concerned only with the fear of the possibility of a raid on the oil reserves. I want to make it clear that there is no conflict between the two activities in any way, shape, or form.

Mr. O'MAHONEY. I understand that. I may say to the Senator that I am confident there is no basis for such a fear as he describes.

Mr. WALSH. I am inclined to agree with the Senator.

Mr. O'MAHONEY. I shall be very happy to cooperate with the Senator from Massachusetts, the Senator from Maine, the Senator from Iowa, and any other Senator who wishes to defend the naval reserves by resisting any attempt whatsoever to raid the naval reserves or to exploit them. I feel that in connection with this amendment we ought to have the support of the distinguished Senators whom I have mentioned.

Mr. HALE. Mr. President, what would indicate to the Senator that any such raid is in prospect? If more lands are leased next year than are leased this year, would that circumstance be an indication to the Senator of a raid?

Mr. O'MAHONEY. The leasing of these lands is not within the authority of the Bureau of Reclamation and is not within the authority of the Department of the Interior.

Mr. HALE. That is quite true; but my experience with the Bureau of Reclamation has been that it has a long arm which reaches out, and if it sees a chance to obtain revenue in the way suggested, I feel very certain that it will take whatever steps are necessary to obtain the revenue.

Mr. O'MAHONEY. I hope the Senator has been impressed with my argument.

Mr. HALE. I am very much impressed. I am always impressed with the able arguments of the Senator, but I cannot always agree with them.

Mr. O'MAHONEY. The receipts of the Federal Treasury from the public lands of the West ought to be shared with the Western States for the development of Federal projects.

Let me add just one word. Let us remember that the reclamation fund is a revolving fund, and that the settlers upon each of the projects are under contract to repay to the Federal Government the cost of the projects. I hope Senators will cooperate with us in securing the adoption of the pending amendment.

Mr. HALE. Does experience show that the settlers have repaid the Federal Government?

Mr. O'MAHONEY. Experience shows that they have been paying back in a very splendid manner. Several moratoria have been granted as the result of the depression.

Mr. POPE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be glad to yield to the Senator from Idaho.

Mr. POPE. With respect to the lands which would be affected by the project in the Boise Valley, which was referred to earlier today, I desire to say that the settlers have paid back 99¹⁹/₂₀ percent of all that is due. I will say to the Senator from Maine that that is a very fine percentage.

Mr. GILLETTE. Mr. President, I rise principally to defend myself from the suggestion of the Senator from Colorado, and, incidentally, the Senator from Wyoming.

Mr. O'MAHONEY. The Senator needs no defense, so far as I am concerned, here or elsewhere.

Mr. GILLETTE. Perhaps I am making a defense in anticipation of an attack. However, it happens that I made objection, when the calendar was called the other day, to the consideration of the bill dealing with this subject, because I felt that the bill should be heard on its merits and should be discussed on the floor.

I wish to say further that I heartily endorse the statements made by the Senator from Massachusetts [Mr. WALSH]. There is no disposition on the part of any of us who have asked for the discussion of the bill to question the motives or purposes of anyone, or to increase the problem which is faced by the States of the West. We know the difficulty of the Western States. Let me detail the situation which has developed.

A number of years ago the Congress, in its wisdom, set aside certain public lands as naval reserves. I believe that any argument which has been presented today could have been presented far more cogently and with far more effect at that time. However, Congress took the action which I have mentioned, and took the lands out of the public-land category, creating out of them a naval reserve for the exclusive use and benefit of the Navy. The lands have been in the naval reserve ever since.

At that time it was anticipated that it would be necessary to do some offset drilling, and a proviso for that purpose was made in the bill itself.

Receipts from royalties have been covered into the Treasury as miscellaneous receipts, as has been stated over and over again. Ever since that time, scarcely a year has passed when an attempt has not been made to divert the funds or to interfere with the administration by the Navy Department of the naval reserves. As I suggested just a moment ago in a question to the Senator from Wyoming—

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. GILLETTE. I gladly yield to the Senator from Wyoming.

Mr. O'MAHONEY. The Senator remarks that every year since the passage of the act an attempt has been made to provide that a portion of the funds should be credited to the reclamation fund, and at the same time he says that when the act was passed in the first place no provision was made for it. Therefore he argues that, since there was no provision made in 1920 for crediting 52½ percent to the reclamation fund, it was not the intention to do it. Then he argues that, inasmuch as every year since there has been an attempt to credit it, that it should not be done. The fact of the matter is that the credit was not secured in the first act because it was not believed that there would be any substantial development of the naval reserves.

The truth of the matter is that the provision in the Naval Appropriation Act by which the Secretary of the Navy was authorized to develop these lands came, if my information is correct, as a surprise to most Members of the Senate. The fact that we have been asking for the credit of this fund is an indication of our earnest desire to have it where it belongs, namely, in the reclamation fund. It is taking not a penny from the Treasury, because, as the Senator has said, it goes into the miscellaneous receipts, and it has been spent for everything under the sun.

Mr. GILLETTE. Mr. President, the Senator argues very shrewdly but with very little basis on which to stand. The statement I made was that at the time the act was passed and these lands were created as a naval reserve—the sug-

gestion that is now made in the report of the committee that offset drilling would not be necessary and came as a surprise is not substantiated by the facts, because the very act itself provided for offset drilling. Since then, as I have stated, there have been various attempts—the Senator misunderstood me, I did not say that every year an attempt was made—to divert this fund to the reclamation fund. I said that almost every year there was an attempt made to divert it to the reclamation fund or to the States or to divert the supervision to the Interior Department or some other department. I wish to read in this connection a statement in a letter by Secretary Swanson, Secretary of the Navy, with regard to a bill of this same nature, which was presented in 1935. He then stated:

In view of the fact that these reserves are not public lands, but are set aside for a specific purpose, I know of no reason why these receipts should not be covered into the Treasury as miscellaneous receipts. While it is not specifically my affair, I wish to point out that there is doubt whether it is wise for the Nation to diminish its miscellaneous receipts in order to build up special funds. It would seem better accounting procedure to have all such receipts covered into the Treasury and subsequently appropriated as desired by Congress.

That is the conclusion of the Secretary of the Navy; that, I understand, is the position that has been taken by the Navy ever since Congress in its wisdom set aside these lands for the exclusive use and benefit of the Navy Department and ever since then the lands themselves, the resources in the ground, and the royalties after they have been paid in, have been a temptation for those who wanted to participate in the fund.

Mr. HATCH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Mexico?

Mr. GILLETTE. I yield.

Mr. HATCH. From the remark the Senator has made I infer that he rather agrees with the arguments advanced by the Senator from Wyoming and the Senator from Arizona as to the basic principle involved, that the Western States are entitled to share in the fund?

Mr. GILLETTE. The Senator is not only justified in that conclusion, but I reiterate that I do agree.

Mr. HATCH. Having reached that conclusion and believing in our right, the Senator does not think that it is too late now to right a wrong that was done back in 1920, does he?

Mr. GILLETTE. No. I am convinced that if this diversion is made, as I believe it will be, it will not more than take care of 25 percent of what will be necessary to pay the obligations that have been incurred in the reclamation projects. It will be necessary to go into the Treasury then or only pay part of them. What I am interested in is this: If we set it aside for the exclusive use and benefit of the Navy I want the Senate to be informed of what they are doing. If it is the wish of the Congress to divert it to reclamation or any other purpose, it is all right with me. I merely want that thoroughly understood; and I objected for the purpose of having the matter brought out here and debated so that the Senate might know fully, so far as eminent Senators are able to inform them—and they have done so very forcefully this afternoon—what the issue is. That is the only interest I have in the matter.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arizona [Mr. HAYDEN] to suspend paragraph 4 of rule XVI for the purpose of the consideration of his amendment. [Putting the question.] Two-thirds of the Senators present having voted in the affirmative, the motion to suspend the rules is agreed to. The question is now on agreeing to the amendment offered by the Senator from Arizona, which has been read.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. THOMAS of Oklahoma. Mr. President, by authority of the committee, I desire to offer two amendments. The first one proposes to appropriate \$10,000 from the tribal

funds of the Choctaw Tribe and the Chickasaw Tribe. The money is to be used to defray expenses in connection with cases now pending in the Court of Claims as to which these Indians claim their treaty obligations have been violated. The money comes from their tribal funds; it is their own money. They ask that it be expended in this manner, but it takes an appropriation by the Congress before the money may be made available for the use desired.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. At the proper place in the bill, it is proposed to insert the following:

Expenses for attorneys of record representing the Choctaw and Chickasaw Nations in cases pending before the Court of Claims, \$10,000, one-half of said sum to be paid out of funds to the credit of said Choctaw Nation and one-half to be paid out of funds to the credit of the Chickasaw Nation: *Provided*, That all payments from said appropriation shall be within the discretion of the Secretary of the Interior.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I offer the second amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 70, line 8, it is proposed to strike out the words "for their benefit," and in line 9, after the word "Interior," to strike out the period and insert the following:

For expenses incurred in the suits brought by the "Old Settlers" and/or "Emigrant" Cherokees under the act approved April 25, 1932 (47 Stat. 137), or in any appeals of said suits. In all such suits, in lieu of certiorari, the parties thereto shall have the right of appeal to the Supreme Court. The attorney of record of the Western Cherokees is hereby authorized to execute vouchers required by the Secretary of the Interior.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. HAYDEN. I ask unanimous consent that the clerks may have authority to correct all totals in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GEORGE. Mr. President, on page 130 of the bill, in line 25, after the word "substitutes," I offer the following amendment:

Unless made wholly from products grown in the United States.

Mr. HAYDEN. Mr. President, may I inquire if the amendment proposes to change existing law?

Mr. GEORGE. It does not propose to change existing law.

Mr. President, this amendment has to do with a provision that has been put in every appropriation act in recent years, and it is a provision which is wholly inexcusable. It ought to be stricken, as a matter of fact, from this bill and from all other appropriation acts.

Here is an appropriation of money taken out of the taxpayers' pockets from those who produce cottonseed and cottonseed oil and cottonseed products as well as from those who produce everything else in the United States, and yet when appropriations are made the Appropriations Committee of the House habitually puts a provision in the bill against the use of the moneys appropriated for the purchase of oleomargarine. My amendment is to add after the words "oleomargarine or butter substitutes," the words "unless made wholly from products grown in the United States."

I wish to say, Mr. President, that oleomargarine is a product that is taxed by the Congress of the United States. It is not only edible, but it contains no deleterious substance. It is subjected to a tax in the United States. It is an important product produced in the South, and the continued insertion of provisions of this kind limiting the public authority from buying a product that is made in one section of the country with public funds is, to say the least, without any

defense whatsoever. There is no requirement that any public official buy oleomargarine; there is no requirement that any part of the money be used for that purpose; but in these appropriation bills there is an absolute prohibition against the use of money appropriated for public purposes for the purchase of a commodity made almost exclusively from an American-grown product.

So, Mr. President, I offer, and I hope the committee will accept, the language which I have suggested, following the word "substitutes" at the bottom of page 130:

Unless made wholly from products grown in the United States.

Mr. HAYDEN. Mr. President, the amendment which the Senator offers is one which I believe is now in conference between the two Houses on the independent offices appropriation bill.

Mr. GEORGE. Yes; it is.

Mr. HAYDEN. Then we can take it to conference, and whatever is done on the other bill we can do on this one. We can adopt a general policy. The issue is there.

Mr. GEORGE. I thank the Senator for taking the amendment to conference; but I hope he will do more than take it to conference, because I am going to take up the matter on the floor every time I find it in one of the appropriation bills.

Mr. HAYDEN. I imagine that the principle will be established in the independent offices appropriation bill one way or the other. If it is, naturally it will be followed in this bill.

Mr. BANKHEAD. Mr. President, I object to any understanding that we are to be bound by what the conferees on another bill do.

Mr. HAYDEN. I merely wanted to indicate that the issue has been raised heretofore on another appropriation bill, and that the precedent set there probably will be followed in this case; that is all. I do not want anybody to be bound by anything.

Mr. GEORGE. I understand that the House conferees have taken that amendment to the House for a vote.

Mr. HAYDEN. If the House adopts it, there will be no question about its being adopted here.

Mr. GEORGE. I understand that that is the case.

The PRESIDING OFFICER (Mr. BURKE in the chair). The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

Mr. MURRAY. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 103, line 21, after the word "work" and the comma, it is proposed to insert:

Including not exceeding \$6,000 for a preliminary study in connection with the proposed museum development jointly with the Office of Indian Affairs at Two Medicine in Glacier National Park and at the Blackfeet Agency, Browning, Mont., including personal services in the District of Columbia.

Mr. HAYDEN. I will take that amendment to conference, too.

Mr. MURRAY. Mr. President, I desire to say that the purpose of the amendment is to provide funds to make a study of the necessity of providing a museum to take care of Indian relics which are rapidly being lost to the country. I understand that on these reservations in Montana there are a great many important Indian relics which are rapidly being lost to the country; and the amendment provides \$6,000 for the purpose of making a study of the wisdom of developing a museum to take care of those relics.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MURRAY].

The amendment was agreed to.

Mr. HAYDEN. Mr. President, that concludes all the pending amendments. Pursuant to the agreement I suggest that the Interior Department bill be temporarily laid aside

until noon tomorrow, and that we proceed with the consideration of the Army bill.

The PRESIDING OFFICER. Without objection, the bill will be temporarily laid aside, to be taken up tomorrow under the unanimous-consent agreement.

REESTABLISHMENT OF REGULAR ARMY RESERVE

Mr. SHEPPARD. Mr. President, when the bill for the Regular Army Reserve was before the Senate a few days ago, the Senator from Utah [Mr. KING] objected to its consideration. Since then, he has indicated that he would no longer object. In order that the necessary initial appropriation for a Regular Army Reserve may be carried in the War Department appropriation bill, which is about to be taken up, without being subject to a point of order. I ask that Senate bill 3530 be considered and acted on at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KING. Mr. President, I assume that the bill meets the approval of the members of the Appropriations Committee who belong to the subcommittee having in charge the Army bill.

Mr. COPELAND. Yes, Mr. President. We had abundant testimony from the War Department on the subject, and it met our full approval in the committee.

Mr. McKELLAR. Is this the \$30,000,000 bill?

Mr. COPELAND. No.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill referred to by the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill (S. 3530) to amend the National Defense Act of June 3, 1916, as amended, by reestablishing the Regular Army Reserve, and for other purposes, which was read, as follows:

Be it enacted, etc., That section 30 of the National Defense Act of June 3, 1916, as amended, be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 30. The Regular Army Reserve: Under such regulations as the President may prescribe there shall be organized and maintained as a part of the Regular Army and in addition to the authorized strength thereof otherwise provided a Regular Army Reserve. Any person who has served in the Regular Army and who has been honorably discharged therefrom, and who is less than 36 years of age may, under regulations prescribed by the President, be reenlisted for the Regular Army Reserve. Each soldier thus reenlisted shall be entitled to receive, during each year of his service in the Regular Army Reserve, an enlistment allowance of \$24 per annum payable in installments under such regulations and conditions as the President may prescribe. Service in the Regular Army Reserve not on active duty shall confer no right to pay, longevity pay, retirement or retired pay, or any other emoluments upon members thereof except as provided in this section; and members of the Regular Army Reserve shall become entitled to pensions only due to disability incurred while on active duty in the service of the United States. Active duty for such purposes shall be deemed to begin on the date of acceptance for such duty following compliance with the order to report for active duty and shall terminate when relieved or discharged from such duty. Members of the Regular Army Reserve may be ordered to active duty only in case of emergency declared by the President and when so ordered shall be furnished transportation and subsistence allowances at Government expense from their homes within the continental limits of the United States or its possessions to points where ordered to report for active duty. In addition, if found qualified and accepted for active duty following such order they shall receive a sum at the rate of \$3 per month for each month they have been enlisted in the Regular Army Reserve but not to exceed \$150. While on active duty they shall have the same status and receive only the same pay and allowances provided by law for enlisted men of the active Regular Army of like grade and length of service. In computing length of service for pay purposes, time spent on active duty only will be counted. Within 6 months after the termination of an emergency declared by the President, they shall be placed in an inactive status or discharged, whichever is appropriate.

"Members of the Regular Army Reserve shall be subject to military law only from the date they are required to obey an order to report for active duty."

Mr. KING. Mr. President, I wish to be assured that the measure meets with the approval of all members of the Appropriations Committee who have had to do with this

subject, and particularly the members of the subcommittee who have prepared the appropriation bill for the War Department.

Mr. COPELAND. Yes, Mr. President. This bill provides for an Enlisted Reserve made up of men who have been in the Regular Army, and who are under 36 years of age. Each man accepts the "king's shilling," \$24 a year; and in return for that he holds himself in readiness, at the call of the country in case of emergency, to go into uniform. It is regarded as the very cheapest way in which we can have a reserve, and by which we can build up a large army almost overnight.

Mr. KING. I should like to ask one further question: What will be the cost for the first year, and the continuing cost?

Mr. COPELAND. The cost will be about \$450,000 the first year. It may run ultimately to as high as a million dollars a year; but for that we will have 75,000 men available, 50 percent of the Regular Army, in case of emergency.

Mr. KING. I desire to make just one observation.

I think that we in this country are being caught in the coils of international hysteria. We are talking a great deal of war, as if we were right on the eve of war; and we shall spend this year too much for the Army and the Navy, and make commitments for the future which will involve us in tremendous expenditures for an indefinite period.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCREASE IN THE COMMISSIONED STRENGTH OF THE ARMY

Mr. SHEPPARD. Mr. President, in order to make a beginning in providing the necessary officer personnel necessitated by the increase in the enlisted strength of the Army to 165,000, by the antiaircraft artillery program, by the legislation increasing the Air Corps, and the need of additional officer instructors for the civilian components, such as the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, and the C. M. T. camps, I ask that House bill 9605, which passed the House a day or two ago—an identical bill being on the Senate calendar, reported favorably by the Senate Military Affairs Committee—be now considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill referred to by the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, H. R. 9605, to provide for a commissioned strength of 14,659 for the Regular Army, which was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the authorized commissioned strength of the Regular Army, including the 67 general officers of the line as now authorized by law, shall be 14,659 officers, of which number 1,793 shall be assigned to the non-promotion-list branch in numbers proportionate to the numbers now fixed by law for such branches, and 12,799 to the promotion-list branches in numbers proportionate to the numbers now designated by the President for such branches pursuant to law, except that the proportional increases as computed under this act for the Medical Administrative Corps and Veterinary Corps shall be assigned to the Dental Corps and that the Air Corps shall be increased so as to provide within the total of 14,659 an authorized commissioned strength of 2,092: *Provided*, That the President may increase or diminish the number of officers assigned to any branch by not more than a total of 30 percent: *Provided further*, That the additional officers authorized by this act shall be appointed in the lowest commissioned grade now provided by law for the respective branches in which appointments are to be made: *And provided further*, That this act shall not affect the act approved August 30, 1935 (49 Stat. 1028), except that the total number of Reserve officers to be appointed annually under authority of that act, in the combatant arms, Chemical Warfare Service, and the Air Corps in the grade of second lieutenant, Regular Army, shall be 10 percent of the total number authorized to be trained annually under appropriation acts in pursuance of the act of August 30, 1935, and in no event less than 50, and that any officers added to the Army under existing authorizations shall be within the total authorized commissioned strength of 14,659 herein provided.

Mr. KING. Mr. President, I should like an explanation of the bill. It seems to me that one step leads to several others; and it would seem, from the statement just made by the Senator, that this measure will call for an expenditure of millions of dollars, not only for the coming year but for an indefinite period.

Mr. SHEPPARD. It will call for an increased appropriation of about \$600,000 the first year, and an increase of a like amount annually for the following 3 years. Then the total limit of 14,659 officers will have been reached, and the appropriation for officer personnel will represent an increase thereafter of about \$2,400,000 over present cost.

Mr. KING. Why were not the provisions of this bill included in the Regular Army bill?

Mr. SHEPPARD. It passed the House only a day or two ago, and the Senate bill was favorably reported by our committee this morning.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the Senate bill on the same subject, Senate bill 3713, reported this morning, will be indefinitely postponed.

RELIEF OF CERTAIN OFFICERS AND SOLDIERS

The PRESIDING OFFICER (Mr. BURKE in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 2904) for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BAILEY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LOGAN, Mr. SCHWELLENBACH, and Mr. CAPPER conferees on the part of the Senate.

ESTATE OF F. GRAY GRISWOLD

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 7104) for the relief of the estate of F. Gray Griswold, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BAILEY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MILTON, Mr. ELLENDER, and Mr. TOWNSEND conferees on the part of the Senate.

WAR DEPARTMENT APPROPRIATIONS

Mr. COPELAND. I move that the Senate proceed to the consideration of House bill 9995, the War Department appropriation bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from New York.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 9995) making appropriations for the Military Establishment for the fiscal year ending June 30, 1939, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. GEORGE. Mr. President, I ask the Senator from New York to permit me to offer now the same amendment which was just offered to the Interior Department appropriation bill. It does not affect the committee amendments;

but I have to be away from the Chamber for the remainder of the afternoon.

On page 21, line 21, after the word "substitutes", I offer the same language which was inserted in the Interior Department appropriation bill, to wit:

Unless made wholly of products grown in the United States.

Mr. COPELAND. Mr. President, I heard the eloquent remarks of the Senator from Georgia in relation to the Interior Department bill. While I am out of sympathy with his proposal, I have no objection to taking the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. COPELAND. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LODGE. Mr. President, will the Senator yield to permit me to ask a question relative to the provision for the Ordnance Department on page 45 of the bill?

Mr. COPELAND. Does the Senator refer to the matter of the Springfield Arsenal?

Mr. LODGE. I do.

Mr. COPELAND. I call the attention of Senators to page 45, line 12. Included in that larger amount we have \$1,200,000. The purpose of this appropriation is to provide for tooling and machinery at the Springfield Arsenal, to permit more rapid manufacture at greatly lessened cost, of the semiautomatic soldier rifle, now considered a very important arm of the service. The manufacture of these rifles has been started with appropriations which have been made during the past 3 years. Seven thousand five hundred have already been made. This appropriation carries provision for 5,000 more, 2,500 of which are to go to the National Guard. The rate of production at present is very low indeed, only about 20 rifles a day. The cost is \$104 per rifle. By putting in this additional tooling and machinery, together with \$600,000 already included in the bill as it passed the House for the same purpose, the rate of manufacture could be increased to 200 rifles a day, and the cost brought down to \$80, so that it would soon pay for itself. The saving on approximately 135,000 rifles remaining to be acquired by the National Guard and the Regular Army, at present strength, would be over \$1,200,000, while the total improvement which would accomplish this would cost only \$1,800,000.

Mr. LODGE. Mr. President, I wanted to have these facts stated for the Record, and I am much obliged to the Senator.

Mr. WALSH. Mr. President, I call the attention of the Senator from New York to the following from the report of the committee:

It is recommended by the committee that the following paragraph be stricken from the bill:

"No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War."

I understand that language has been in appropriation bills for a good many years, and is in the pending bill as it passed the House this year, and that the Senate committee has recommended that it be stricken from the bill.

Before the Senator explains why the recommendation is made, I am wondering whether he is familiar with the testimony taken before the Joint Committee on Printing in the year 1920, and the report made, in which there were set forth several instances of abuses in this field, of officers connected with the military organization soliciting advertisements and receiving commissions, and even in some in-

stances soliciting advertisements from firms which were doing business with the Army.

I have not had opportunity to give the matter the study the Senator from New York has given it, but it seems to me that the provision ought to be maintained, and that it should even include naval officers, and perhaps other officers of the Government.

Will the Senator let me have the reasons why the committee made this recommendation? First of all, may I ask whether the Senator is familiar with this report?

Mr. COPELAND. Yes. These are the reasons. The officers of the Army, including the Regular Army, the National Guard, and the Reserve Corps, have associations among themselves, associations for professional advancement. There is the Infantry Association, the Field Artillery Association, the Engineers' Association, the Medical Association. Each one of these associations publishes a strictly professional journal, just exactly as in the medical profession, to which I used to belong, and it very frequently happened that some branch of the profession, the ophthalmologists, would have an ophthalmological journal. Under the restriction which has been carried in the law heretofore none of these journals could accept paid advertising if the editor happened to be an active officer of the Regular Army.

The Engineer Journal, containing matter largely related to the civil-engineering profession, the Medical Journal, of which I have spoken, and others whose matter largely related to the civil medical profession, have been well able to use retired or Reserve officers as editors, and accept paid advertising. We were shown in the committee great thick journals, which had wide circulation, and were aided by the advertising, while the little skimpy things put out by the Government would not attract attention anywhere.

The Cavalry, Infantry, Field Artillery, and Coast Artillery journals, from the very nature of things, must have editors qualified to the last word in the military profession. They have had to use active officers and deny themselves the paid advertising, with the result that these journals, whose circulation is comparatively small, cannot bring out many articles of value, and to a great extent must depend upon plates, and maps, and photographs.

No appropriated funds whatever are involved in the publication of these journals. They are supported by subscriptions of officers belonging to all the components of the Army, and the committee believes that the language is an undue discrimination. The committee unanimously recommends that it be stricken out of the bill.

Mr. WALSH. Mr. President, I read to the Senator from the report of the Joint Committee on Printing in 1920:

In its investigation of the field printing plants, the committee found a most peculiar condition of affairs to exist in the plant of the Coast Artillery School at Fort Monroe, Va. For many years there had been published at that plant a monthly magazine called the Journal of United States Artillery. Although printed in a Government plant, the Journal purported to be a private enterprise and assumed full control over all its receipts and expenditures. The Journal was credited with owning by purchase a considerable portion of the equipment in the artillery school printing plant and also had a surplus fund of approximately \$7,500 in the hands of the officer who was its manager and editor. In addition to publishing the magazine of that name, the Journal conducts a book-sales department of considerable magnitude which has also been of profit to it.

The committee ascertained that the Journal as a business organization was nothing more than a mere name. It was not owned or supported by any association, partnership, or corporation. The only person responsible for the conduct of its business was an Army officer stationed at Fort Monroe, who assumed the duties of manager and editor of the Journal in connection with his official duties at the Coast Artillery School. At one time an order was issued by the War Department detaching an officer as editor of the Journal; but this was considered entirely unofficial, and the only official requirements made of the editor as such was that his accounts be submitted to the regular Army inspection.

As a matter of fact, however, the editor of the Journal was all there was of the Journal itself so far as that publication had any business or legal entity. Due to this peculiar arrangement, the printing and bindery plant of the Coast Artillery School was equipped with \$7,326 of machinery which the Journal claimed to own, \$9,040 of machinery which the Journal claimed it owned jointly with the Government, and \$31,279 of machinery which was

credited to the Government. All of this equipment was used indiscriminately in printing and binding for the Journal and its book department and for the Coast Artillery School. It formed simply one complete printing and binding plant.

Even the employees of the plant, including enlisted men, were paid partly with Government and partly by Journal funds. But the division of this expense was an arbitrary one and not based upon the actual work done for either the Government or the Journal.

Mr. COPELAND. What was the date of that?

Mr. WALSH. Nineteen hundred and twenty; following the war. I assume these abuses were largely discovered during and following the war when there was more extensive demand for and interest in magazines and papers published by groups or units or organizations connected with the Army and the Navy.

Mr. COPELAND. Frankly, I think that statement is like ox-tail soup, it is from a long way back. It has been a good many years since the report was made.

Mr. WALSH. My reason for making the inquiry is to discover whether the abuses which led to the provision have disappeared. There is no doubt whatever, that there were abuses which led to this language being incorporated in all the Army appropriation bills from 1920 on. It is in the pending House bill. Have the abuses disappeared? And what assurance have we that Army and Navy officers and enlisted men, even those who may be in a position to buy supplies for the Army and Navy, will not be or could not be induced to solicit advertisements for the publications in which they are interested, to their profit, and to the detriment of the standing and integrity of the Army and Navy officers and enlisted men?

Mr. COPELAND. Mr. President, I may say in reply to my friend that on pages 18 and 19 of the hearings will be found a full explanation of the reasons given for the action which the committee took.

Mr. WALSH. Unfortunately I have not had a chance to read that.

Mr. COPELAND. I may say to my friend that this did not originate in the committee. It came from the War Department—from the Chief of Staff. The Senator will recall that always when a bill has passed the House the department involved has an opportunity to make recommendations, and one of the recommendations made by the Chief of Staff was that this language be stricken from the bill. The matter was discussed in the committee, and so far as I am concerned, I am satisfied that past abuses which occurred after the war—and abuses that occurred then are not limited to this matter—have disappeared, and that we may with all propriety accept the decision of the committee. If there is found any abuse I would then say that in the future not only in the Army but in the Navy and in the Coast Guard exactly the same provisions should be made.

Mr. WALSH. I will read another quotation from this report:

Another Army magazine printed this significant statement in its advertising section: "A well-known engineer in looking through a recent number of the—

Which I suppose is a periodical—

remarked, "Your advertisers are national advertisers." The national advertiser is one whose business is founded on quality and a legitimate profit.

The conclusion of this report on that subject was:

That the solicitation of advertisements became one of the chief functions of certain Army and Navy periodicals is shown by an announcement in one of them urging the solicitation of advertisements by service men, with an offer of "A handsome commission of 15 percent for procuring advertisements from the merchants in and about the neighborhood."

It is such abuses that led to this provision being inserted originally in the appropriation bill, and which now is being eliminated on the recommendations of the same committee.

I am impressed with what the Senator from New York says about the recommendations from the Chief of Staff of the Army, and if the Senator feels that the abuses that

were current at one time and did exist are no longer likely to recur, I do not care to press the matter. But it seemed to me that the provision was a good one.

We hear much criticism about persons employed in the Government who are going into other lines of activity after hours and engaging in occupations that are legitimate and proper; but we certainly ought to take a stand against Army and Navy officers and enlisted men engaging in commercial activities that give them an income and which are of dubious and questionable character.

Mr. COPELAND. Mr. President, I am sure that we may give the Senator every assurance that there are no abuses at the present time, regardless of what may have been the case 20 years ago, and that we may safely adopt the recommendations of the committee.

The PRESIDING OFFICER. The clerk will state the first amendment of the Committee on Appropriations.

The first amendment of the committee was, under the subhead "Salaries, War Department", on page 3, line 14, after the word "exceed", to strike out "\$54,860" and insert "\$70,000", so as to read:

Office of Chief of Ordnance, \$428,350: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the office of the Chief of Ordnance, to carry into effect the various appropriations for development, manufacture, storage, and issue of ordnance and ordnance stores, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1939 shall not exceed \$70,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

The amendment was agreed to.

The next amendment was, on page 3, line 21, after the figures "\$4,809,387", to strike out the colon and the following proviso: "*Provided*, That the number of warrant officers and enlisted men on duty in the offices of the Chiefs of Ordnance, Engineers, Coast Artillery, Field Artillery, Cavalry, Infantry, and Chaplains on March 5, 1934, shall not be increased, and in lieu of warrant officers and enlisted men whose services in such offices shall have been terminated for any cause prior to July 1, 1939, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, the appropriation 'Pay of the Army' shall be available", so as to read:

In all, salaries, War Department, \$4,809,387.

The amendment was agreed to.

The next amendment was, under the heading "Military activities", on page 9, line 8, after the word "expenses", to strike out "\$73,238" and insert "\$75,518", so as to read:

ARMY WAR COLLEGE

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers, newspapers, and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lectures; for the pay of employees; and for all other absolutely necessary expenses, \$75,518.

The amendment was agreed to.

The next amendment was, under the subhead "Finance Department—Pay of the Army", on page 10, line 6, after the words "average of", to strike out "12,300" and insert "12,853"; in line 8, after the word "officers", to strike out "\$34,831,943" and insert "\$35,495,563"; in line 11, after the word "exceed", to strike out "5" and to insert "36"; in line 12, after the word "officers", to strike out "\$2,419,037" and insert "\$2,576,177"; in line 17, after the word "exceed", to strike out "165,000", and insert "168,436"; in line 20, after the word "Scouts", to strike out "\$68,008,504" and insert "\$69,946,973; Regular Army Reserve, \$450,000"; in line 25, after the word "men", to strike out "\$5,437,353" and insert "\$5,474,703"; on page 11, line 12, after the word "available", to strike out "\$6,638,780" and insert "\$6,842,455"; in line 13, after the word "allowances", to strike out "\$6,607,216" and insert "\$6,711,733"; in line 20, after the words "in all", to strike

out "\$165,316,700" and insert "\$168,821,471", and on page 13, line 2, after the word "accounts", to insert:

Provided further, That pay and allowances accruing under the provisions of the act of September 3, 1919 (41 Stat. 283), during the periods of service heretofore or hereafter performed in Europe under the provisions of the act of March 4, 1923 (42 Stat. 1509), shall be considered as coming within the scope of the act of March 26, 1934 (48 Stat. 466), and included in the computation of exchange losses thereunder: *Provided further*, That section 13a of the act approved June 3, 1916, as amended by the act approved July 2, 1926 (44 Stat. 780), be, and the same is hereby, amended by striking out the words "sixteen thousand" in line 5 and inserting in lieu thereof the words "twenty-one thousand five hundred": *Provided further*, That section 30 of the National Defense Act of June 3, 1916, as amended, be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 30. The Regular Army Reserve: Under such regulations as the President may prescribe there shall be organized and maintained as a part of the Regular Army and in addition to the authorized strength thereof otherwise provided a Regular Army Reserve. Any person who has served in the Regular Army and who has been honorably discharged therefrom, and who is less than 36 years of age may, under regulations prescribed by the President, be reenlisted for the Regular Army Reserve. Each soldier thus reenlisted shall be entitled to receive, during each year of his service in the Regular Army Reserve, an enlistment allowance of \$24 per annum payable in installments under such regulations and conditions as the President may prescribe. Service in the Regular Army Reserve not on active duty shall confer no right to pay, longevity pay, retirement, or retired pay, or any other emoluments upon members thereof except as provided in this section; and members of the Regular Army Reserve shall become entitled to pensions only due to disability incurred while on active duty in the service of the United States. Active duty for such purposes shall be deemed to begin on the date of acceptance for such duty following compliance with the order to report for active duty and shall terminate when relieved or discharged from such duty. Members of the Regular Army Reserve may be ordered to active duty only in case of emergency declared by the President and when so ordered shall be furnished transportation and subsistence allowances at Government expense from their homes within the continental limits of the United States or its possessions to points where ordered to report for active duty. In addition, if found qualified and accepted for active duty following such order, they shall receive a sum at the rate of \$3 per month for each month they have been enlisted in the Regular Army Reserve but not to exceed \$150. While on active duty they shall have the same status and receive only the same pay and allowances provided by law for enlisted men of the active Regular Army of like grade and length of service. In computing length of service for pay purposes, time spent on active duty only will be counted. Within 6 months after the termination of an emergency declared by the President, they shall be placed in an inactive status or discharged, whichever is appropriate.

"Members of the Regular Army Reserve shall be subject to military law only from the date they are required to obey an order to report for active duty."

So as to read:

For pay of not to exceed an average of 12,853 commissioned officers, \$35,495,563; pay of officers, National Guard, \$100; pay of warrant officers, \$1,371,836; aviation increase to commissioned and warrant officers of the Army, including not to exceed 36 medical officers, \$2,576,177, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; additional pay to officers for length of service, \$10,275,191; pay of an average of not to exceed 168,436 enlisted men of the line and staff, not including the Philippine Scouts, \$69,946,973; Regular Army Reserve, \$450,000; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$660,128; pay of enlisted men of the Philippine Scouts, \$1,505,447; additional pay for length of service to enlisted men, \$5,474,703; pay of the officers on the retired list, \$13,123,676; increased pay to not to exceed seven retired officers on active duty, \$8,213; pay of retired enlisted men, \$13,725,080; pay not to exceed 60 civil-service messengers at not to exceed \$1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation, \$72,000; pay and allowances of contract surgeons, \$42,276; pay of nurses, \$949,720; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$6,842,455; subsistence allowances, \$6,711,733; interest on soldiers' deposits, \$45,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$100; in all, \$168,821,471; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund: *Provided*, That during the fiscal year ending June 30, 1939, no officer of the Army shall be entitled to receive

an addition to his pay in consequence of the provisions of the act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That no part of this or any other appropriation contained in this act shall be available for the pay of any person, civil or military, not a citizen of the United States, unless in the employ of the Government or in a pay status on July 1, 1937, under appropriations for the War Department, nor for the pay of any such person beyond the period of enlistment or termination of employment, but nothing herein shall be construed as applying to instructors of foreign languages at the Military Academy, or to Filipinos in the Army Transport Service, or to persons employed outside of the continental limits of the United States except enlisted men of the Regular Army, other than Philippine Scouts, upon expiration of enlistment and this provision shall be subject to the provisions of the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations and retirement deductions, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That pay and allowances accruing under the provisions of the act of September 3, 1919 (41 Stat. 283), during the periods of service heretofore or hereafter performed in Europe under the provisions of the act of March 4, 1923 (42 Stat. 1509), shall be considered as coming within the scope of the act of March 26, 1934 (48 Stat. 466), and included in the computation of exchange losses thereunder: *Provided further*, That section 13a of the act approved June 3, 1916, as amended by the act approved July 2, 1926 (44 Stat. 780), be, and the same is hereby, amended by striking out the words "sixteen thousand" in line 5 and inserting in lieu thereof the words "twenty-one thousand five hundred": *Provided further*, That section 30 of the National Defense Act of June 3, 1916, as amended, be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 30. The Regular Army Reserve: Under such regulations as the President may prescribe there shall be organized and maintained as a part of the Regular Army and in addition to the authorized strength thereof otherwise provided a Regular Army Reserve. Any person who has served in the Regular Army and who has been honorably discharged therefrom, and who is less than 36 years of age may, under regulations prescribed by the President, be reenlisted for the Regular Army Reserve. Each soldier thus reenlisted shall be entitled to receive, during each year of his service in the Regular Army Reserve, an enlistment allowance of \$24 per annum payable in installments under such regulations and conditions as the President may prescribe. Service in the Regular Army Reserve not on active duty shall confer no right to pay, longevity pay, retirement or retired pay, or any other emoluments upon members thereof except as provided in this section; and members of the Regular Army Reserve shall become entitled to pensions only due to disability incurred while on active duty in the service of the United States. Active duty for such purposes shall be deemed to begin on the date of acceptance for such duty following compliance with the order to report for active duty and shall terminate when relieved or discharged from such duty. Members of the Regular Army Reserve may be ordered to active duty only in case of emergency declared by the President and when so ordered shall be furnished transportation and subsistence allowances at Government expense from their homes within the continental limits of the United States or its possessions to points where ordered to report for active duty. In addition, if found qualified and accepted for active duty following such order they shall receive a sum at the rate of \$3 per month for each month they have been enlisted in the Regular Army Reserve but not to exceed \$150. While on active duty they shall have the same status and receive only the same pay and allowances provided by law for enlisted men of the active Regular Army of like grade and length of service. In computing length of service for pay purposes, time spent on active duty only will be counted. Within 6 months after the termination of an emergency declared by the President, they shall be placed in an inactive status or discharged, whichever is appropriate.

"Members of the Regular Army Reserve shall be subject to military law only from the date they are required to obey an order to report for active duty."

The amendment was agreed to.

The next amendment was, on page 15, after line 17, to strike out:

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Travel of the Army", on page 17, line 5, after the word "martial", to strike out "\$2,713,350" and insert "\$2,823,650, and, in addition, \$77,644 of the appropriation 'Travel of the Army, 1938', such amount of such appropriation being hereby reappropriated", so as to read:

For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers and contract surgeons; transportation of troops; transportation, or reimbursement therefor, of nurses, enlisted men, recruits, recruiting parties, applicants for enlistment between recruiting stations and recruiting depots, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of military personnel; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from St. Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; hot coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to nurses, civilian employees, and civilian witnesses before courts martial, \$2,823,650, and, in addition, \$77,644 of the appropriation "Travel of the Army, 1938," such amount of such appropriation being hereby reappropriated, of which \$286,702 shall be available immediately, and such former amount may be increased, subject to the approval of the Director of the Bureau of the Budget, by transfers from other appropriations contained in this act of such amounts as may be required in addition to those herein provided for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, citizens' military training camps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriation "Air Corps, Army": *Provided*, That the expert accountant, Inspector General's Department, shall be entitled to the same travel allowances as other employees of the War Department: *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed \$2,500 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attendance would be of benefit in the conduct of the work of the War Department: *Provided further*, That the appropriation "Travel of the Army" current at the date of relief from duty station of personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriation in connection with the travel enjoined, including travel expenses of dependents, regardless of the dates of arrival at destination of the persons so traveling.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps", on page 21, line 18, after the words "in all", to strike out "\$29,530,000" and insert "\$30,463,925", so as to read:

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and officers at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who gradu-

ate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$30,463,925: *Provided*, That none of the money appropriated in this act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

The amendment was agreed to.

The next amendment was, on page 24, line 21, after the word "reasons", to strike out "\$13,420,900" and insert "\$13,730,890", so as to read:

Clothing and equipage: For cloth, woollens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessities; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$13,730,890, of which amount not exceeding \$60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1939: *Provided*, That laundry charges, other than for service now rendered without charge, shall be so adjusted that earnings in conjunction with the value placed upon service rendered without charge shall aggregate an amount not less than \$50,000 below the cost of maintaining and operating laundries and dry-cleaning plants.

The amendment was agreed to.

The next amendment was, on page 26, line 24, after the words "in all", to strike out "\$12,908,265" and insert "\$12,975,688", so as to read:

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for transportation on Army vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Army personnel upon change of station; for the purchase or construction, not to exceed \$242,000, alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferrage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the act of March 2, 1901 (10 U. S. C. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory act of September 22, 1922 (10 U. S. C. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of disability; in all, \$12,975,688, of which amount not exceeding \$250,000 for the procurement and transportation of fuel for the service of the fiscal year 1939, and not exceeding \$1,000,000 for the procurement of motor vehicles, shall be available immediately: *Provided*, That not to exceed \$225,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed \$750 for light automobiles and \$1,200 for medium automobiles, including the value of any vehicle exchanged, and not to exceed \$275,000 may be expended for the purchase or exchange of motor-propelled ambulances, motorcycles, and trucks of station-wagon type: *Provided further*, That no appropriation contained in this act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to January 1, 1920, except tanks,

tractors, ambulances, fire trucks, searchlight trucks, 390 modernized class B trucks, and vehicles in use by Reserve Officers' Training Corps units on February 19, 1935: *Provided further*, That during the fiscal year 1939 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

The amendment was agreed to.

The next amendment was, under the subhead "Horses, draft and pack animals," on page 28, line 8, after the word "including", to strike out "\$81,750" and insert "\$100,000"; and in line 12, after the word "maintenance", to strike out "\$540,600" and insert "\$558,850", so as to read:

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$100,000 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$558,850.

Mr. FRAZIER. Mr. President, I should like to ask the Senator in charge of the bill what this increase from \$81,750 to \$100,000 is for?

Mr. COPELAND. It is to enable the Department to buy some more breeding horses.

Mr. FRAZIER. What for?

Mr. COPELAND. For the use of the Army. It is also for the aid of the farmers of the country. We seek to improve the breed of horses.

Mr. FRAZIER. I appreciate that feature of it very much. But the Army is getting quite thoroughly motorized. I think, however, that the Army might as well spend the money for horses as for anything else. It seems to me it would have been much better had we left the consideration of the Army bill until tomorrow, because tomorrow is Army Day, and we are going to have a parade, and we will see the cavalry pass by the Capitol. The Army will put on a wonderful parade tomorrow afternoon. It would be much more appropriate to consider the bill tomorrow.

Mr. COPELAND. When I came down this morning I saw the stands and seats arranged along the line of march, and then I had the same idea about it that the Senator has. Perhaps consideration of the bill may go over until tomorrow. Seriously, it is the attitude of the War Department that the day of cavalry has not passed. The Senator is a farmer, as I am, and he knows there are places where a farmer cannot use a tractor. For instance, on a hill a tractor cannot be used, and there are other purposes for which it cannot be used.

Mr. FRAZIER. That is true. The cavalry also makes a better showing in a parade than do motors.

Mr. COPELAND. That is true. Both for the benefit of the farmer and the benefit of the parade I think we ought to adopt the amendment.

Mr. FRAZIER. Yes. The total amount provided for animals is only \$558,850, and we could very well spend such a small amount to have good parades on Army Day, the anniversary of the day we went into the World War. The War Department is so proud of our having gone into the World War that it wants to celebrate that event each year on its anniversary.

The PRESIDING OFFICER (Mr. HILL in the chair). The question is on agreeing to the committee amendment on page 28, lines 8 and 12.

The amendment was agreed to.

The next amendment was, under the subhead "Military Posts", on page 29, line 8, after the word "For", to insert "construction at the concurrent and National Guard Camp at Fort Sill, Okla., \$400,000; for purchase of materials for construction at Fort Missoula, Mont., \$79,880; for"; in line 15, after "Stat.", to strike out "103" and insert "166"; in line

19, before the word "runway", to strike out "housing and technical facilities, and"; in line 20, after the figures "\$350,000" and the semicolon, to insert "and at Kelley Field, Tex., \$2,495,300"; on page 30, line 6, after the figures "\$87,000", to insert "Fort Sill, Okla., \$331,000; Fort Francis E. Warren, Wyo., \$277,500"; in line 9, after the words "in all", to strike out "\$8,191,880" and insert "\$11,775,560", so as to read:

For construction and installation of buildings, flying fields, and appurtenances thereto, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (10 U. S. C. 1339; 40 U. S. C. 267); general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (41 U. S. C. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary; to remain available until expended and to be applied as follows: For construction at the Concurrent and National Guard Camp at Fort Sill, Okla., \$400,000; for purchase of materials for construction at Fort Missoula, Mont., \$79,880; for reconstructing at Fort Niagara, N. Y., the barracks buildings known as 50N and 50S which were destroyed by fire March 4, 1938, to be available immediately, \$75,000; for work authorized by the act approved May 14, 1937 (50 Stat. 166): At Savanna Ordnance Depot, Ill., \$341,137; at Camp Stanley, Tex., \$218,118; for work authorized by the act of August 12, 1935 (49 Stat. 610-611): At Hickam Field, Hawaii, \$786,000; navigation aids at various stations, \$270,025; runway at Hamilton Field, Calif., \$350,000; and at Kelly Field, Tex., \$2,495,300; for work authorized by the act of August 26, 1937 (50 Stat. 857-862): At Fort Benning, Ga., including an additional amount for the completion of the water-system project, \$450,000; Chanute Field, Ill., \$1,500,000; Fort Clayton, Canal Zone, \$650,000; Air Corps Technical School, Denver, Colo., \$1,385,000; Fort Knox, Ky., \$850,000; Fort Monroe, Va., \$81,500; Panama Canal Zone, \$328,000; Schofield Barracks, Hawaii, \$785,100; Fort Barrancas, Fla., \$87,000; Fort Sill, Okla., \$331,000; Fort Francis E. Warren, Wyo., \$277,500; and Army and Navy General Hospital, Hot Springs, Ark., \$35,000; in all \$11,775,560: *Provided*, That contracts are hereby authorized to be entered into and obligations otherwise incurred in excess of the preceding stipulated amounts, as follows: Chanute Field, Ill., \$575,000; Fort Clayton, Canal Zone, \$178,000; Air Corps Technical School, Denver, Colo., \$150,000; and Fort Knox, Ky., \$187,200.

The amendment was agreed to.

The next amendment was, under the subhead "Barracks and Quarters and Other Buildings and Utilities", on page 32, line 21, after the word "posts", to strike out "\$13,376,280" and insert "\$13,551,280", so as to read:

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings, including not to exceed \$900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes, lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War; warehouse and fuel handling equipment; stoves required for use of the Army for heating offices, hospitals, barracks, quarters, recruiting stations, and United States disciplinary barracks, also ranges and stoves for cooking food at posts, for post bakery and bake-oven equipment and apparatus and appliances for cooking and serving food when constituting fixed installations in buildings, including maintenance and repair of such heating and cooking appliances; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902 (10 U. S. C. 1346), and buildings

for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries at established posts, \$13,551,280, and, in addition, \$447,182 of the appropriation "Barracks and Quarters, Army, 1938", such amount of such appropriation being hereby reappropriated, and of the total of such amounts \$2,500,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1939: *Provided*, That the amounts to be assessed and collected by the Secretary of War for expenditure for maintenance purposes at Fort Monroe, Va., under the provisions of the act of August 1, 1894 (28 Stat. 212), shall be \$13,520 for wharf and \$5,053 for roads and sewerage system: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed \$15.

The amendment was agreed to.

The next amendment was, under the subhead "Air Corps—Air Corps, Army", on page 39, line 24, after the word "than", to strike out "\$34,841,690" and insert "\$33,150,646", so as to make the additional proviso read:

Provided further, That of the amount herein appropriated and the amount herein authorized for contractual obligation not less than \$33,150,646 (exclusive of \$16,126,894 for payment of obligations incurred under the above-mentioned contract authorization for the fiscal year 1938) shall be applied to the procurement of new combat airplanes and their equipment and accessories, including not more than \$1,691,044 for the procurement of spare engines and spare parts for airplanes procured pursuant to the provisions of the appropriation "Air Corps, Army, 1938":

The amendment was agreed to.

The next amendment was, under the heading "Ordnance Department, Ordnance Service and Supplies, Army", on page 45, line 12, after the word "expenses", to strike out "\$32,232,034" and insert "\$48,038,259", and in line 19, after the words "excess of", to strike out "\$2,900,000" and insert "\$12,900,000", so as to read:

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight- and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for the development and procurement of gages, dies, jigs, and other special aids and appliances, including specifications and detailed drawings, to carry out the purpose of section 123 of the National Defense Act, as amended (50 U. S. C. 78); for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 per day for not exceeding 50 days each, and for their necessary traveling expenses, \$48,038,259, and, in addition, \$1,249,000 of the appropriation "Ordnance service and supplies, Army, 1938," such amount of such appropriation being hereby reappropriated; also, in addition, the Chief of Ordnance, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1939, for the procurement or production of ordnance material, machinery, and supplies to an amount not in excess of \$12,900,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof. Of the total sum hereby appropriated \$100,000 shall be available exclusively for equipping 75-millimeter guns with high-speed adapters.

The amendment was agreed to.

The next amendment was, under the subhead "Seacoast Defenses", on page 49, line 12, after "United States", to strike out "\$3,485,816" and insert "\$14,613,656"; in line 13, after the word "departments", to strike out "\$1,496,340" and insert "\$4,157,262"; in line 14, after "Canal", to strike out "\$1,766,402" and insert "\$4,768,387"; and in line 15, after the

word "all", to strike out "\$6,748,558" and insert "\$23,539,305", so as to read:

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, ammunition storage, maintenance of channels to submarine-mine wharves, purchase of lands and rights-of-way as authorized by law, and experimental, test, and development work, as follows:

United States, \$14,613,656;
Insular departments, \$4,157,262;
Panama Canal, \$4,768,387;
In all, \$23,539,305.

The amendment was agreed to.

The next amendment was, under the heading "National Guard—Arming, Equipping, and Training the National Guard", on page 51, line 25, after the word "vehicles", to strike out "\$9,126,100" and insert "\$9,626,100", so as to make the paragraph read:

For expenses, camps of instruction, field and supplemental training, and the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, \$9,626,100: *Provided*, That not to exceed \$25,000 of this appropriation shall be available for the settlement of claims (not exceeding \$500) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while thereto or therefrom en route.

The amendment was agreed to.

The next amendment was, under the heading "Organized Reserves", on page 59, line 13, after the words "in all", to strike out "\$10,933,162" and insert "\$11,722,340", so as to make the paragraph read:

ORGANIZED RESERVES

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for 15 days or less shall not exceed 4 cents per mile; for travel in kind, or reimbursement in lieu thereof, as now authorized by law for officers of the Regular Army, of dependents of Reserve officers who have been ordered to active duty for periods in excess of 15 days; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles and purchase of 30 such vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army and Reserve officers ordered to active duty for periods in excess of 15 days traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed \$1,615,102 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of Reserve officers ordered to active duty for not less than 6 months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as provided by the act of June 15, 1936 (49 Stat. 1507), and for such other purposes in connection therewith as are authorized by the said act, including pay and allowances, subsistence, transportation, and burial expenses; in all, \$11,722,340, and in addition, \$513,443 of the appropriation "Organized Reserves, 1938," such amount of such appropriation being hereby reappropriated; and no part of the total of such amounts shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate: *Provided*, That not to exceed \$100,000 of this appropriation may be used for establishment and maintenance of divisional and regimental headquarters.

The amendment was agreed to.

The next amendment was, under the heading "Citizens' Military Training, Reserve Officers' Training Corps," on page 63, line 18, after the word "wagons," to strike out "\$4,323,488" and insert: "\$4,597,248, and, in addition \$517,850 of the appropriation "Reserve Officers' Training Corps, 1938," such amount of such appropriation being hereby reappropriated and no part of the appropriation for the Reserve Officers' Training Corps made in this paragraph shall be reserved by administrative direction," so as to make the paragraph read:

**CITIZENS' MILITARY TRAINING
RESERVE OFFICERS' TRAINING CORPS**

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the act approved June 3, 1916, as amended by the act approved June 4, 1920 (10 U. S. C. 387); for the medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the act of June 15, 1936 (49 Stat. 1507); for mileage, traveling expenses, or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the purchase, maintenance, repair, and operation of motor vehicles, including station wagons, \$4,597,248, and, in addition, \$517,850 of the appropriation "Reserve Officers' Training Corps, 1938," such amount of such appropriation being hereby reappropriated, and no part of the appropriation for the Reserve Officers' Training Corps made in this paragraph shall be reserved by administrative direction, of which amount \$400,000 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Training Corps, so many horses now belonging to the Regular Army as he may consider desirable: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this act shall be available for any expense on account of any student in Air Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this act, except for printing and binding and pay and allowances of officers and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Mr. RUSSELL. Mr. President, I desire to offer an amendment to the committee amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment, on page 63, after the word "reappropriated", it is proposed to insert:

For the purpose of increasing the number of advanced-course students at existing institutions.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL] to the amendment reported by the committee.

Mr. OVERTON. Mr. President, will the Senator from Georgia explain his amendment? I understand that the appropriation carries with it the contemplation of an increase in the number of R. O. T. C. units.

Mr. RUSSELL. It does. My amendment affects only the sums which are reappropriated. In addition, an appropriation of \$250,000 is contained in the bill for the purpose of establishing new units. My amendment in no wise affects the increase of \$250,000 for establishing new units.

Mr. OVERTON. In what line is the Senator's amendment?

Mr. RUSSELL. My amendment is in line 21, on page 63, after the word "reappropriated." I propose to insert "for the purpose of increasing the number of advanced-course students at existing institutions." My amendment affects only the reappropriated funds, which have been appropriated twice in the past, but which have not been expended.

Mr. OVERTON. The Senator's amendment, then, does not interfere with the increased appropriation of \$250,000 for additional R. O. T. C. units?

Mr. RUSSELL. My amendment in no wise affects the \$250,000 appropriation for new units.

Mr. OVERTON. The purpose of the additional \$250,000 is for new units?

Mr. RUSSELL. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL] to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. BANKHEAD. Mr. President, I was called out of the Chamber when the Senate began the consideration of the pending bill, and in very great speed the Senate disposed of several amendments which I think ought to have some attention or consideration.

I ask unanimous consent to return to the amendments on page 45 and reconsider the vote by which they were agreed to.

Mr. COPELAND. Mr. President, I have no objection to reconsideration.

The PRESIDING OFFICER. Without objection, the vote is reconsidered. The amendments on page 45 will be stated.

The CHIEF CLERK. On page 45, line 11, after the word "expenses", the committee amendments are to strike out "\$32,232,034" and insert "\$48,038,259"; and in line 19, after the words "in excess of", to strike out "\$2,900,000" and to insert "\$12,900,000."

Mr. BANKHEAD. The amount involved is about \$30,000,000, and I think a few more Senators ought to be present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll and the following Senators answered to their names:

Adams	Bulkley	Duffy	Hatch
Andrews	Bulow	Ellender	Hayden
Ashurst	Burke	Frazier	Herring
Bailey	Byrd	George	Hill
Bankhead	Byrnes	Gerry	Hitchcock
Berry	Capper	Gibson	Holt
Bilbo	Caraway	Gillette	Hughes
Bone	Clark	Green	Johnson, Calif.
Borah	Connally	Guffey	Johnson, Colo.
Bridges	Copeland	Hale	King
Brown, Mich.	Davis	Harrison	La Follette

Lee	Maloney	Pope	Thomas, Utah
Lodge	Miller	Radcliffe	Townsend
Logan	Milton	Reames	Tydings
Lonergan	Minton	Reynolds	Vandenberg
Lundeen	Murray	Russell	Van Nuys
McAdoo	Neely	Schwartz	Walsh
McCarran	Norris	Sheppard	Wheeler
McGill	O'Mahoney	Shipstead	White
McKellar	Overton	Smathers	
McNary	Pittman	Thomas, Okla.	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names. A quorum is present.

Mr. BANKHEAD. Mr. President, when I see staggering increases, such as those contained on pages 45 and 49 of the bill, adopted without attracting any attention or opposition, I grow discouraged about the much-discussed effort to balance the Budget. Here are items amounting to approximately \$46,000,000 added to the appropriation bill.

Mr. COPELAND. The amount is \$42,000,000.

Mr. BANKHEAD. Very well. The Senator from New York, who was responsible in large measure for these items, says the amount is \$42,000,000. I think that amount is sufficiently large to call at least for some consideration of the increases made by the Senate committee. I wonder, Mr. President, as I observe these increases and note that they are adopted with apparently no concern and no opposition, where we are drifting, where we are going in the matter of appropriations and of governmental expenditures.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, in reference to the coast-defense items, amounting to about \$30,000,000, as I recall, the Senator will remember, no doubt, that there is no Budget estimate for that appropriation, and that there is very grave doubt concerning its advisability. Only one or two officers of the Army testified about it, and they testified very gingerly. I wish to say to the Senator that I agree with him 100 percent that this amendment is indefensible and ought not to be adopted by the Senate.

Mr. BANKHEAD. I am aware of the position of the Senator from Tennessee, because we both took a position in the Appropriations Committee in opposition to these additions to the appropriation bill.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield to the Senator from New Mexico.

Mr. HATCH. I have just come onto the floor. I presume that the committee recommended this item?

Mr. BANKHEAD. Yes; it was included in the bill by a majority vote of the committee, but there was division in the committee.

Mr. BURKE. Mr. President, will the Senator yield just there?

Mr. BANKHEAD. Yes; I yield to the Senator from Nebraska.

Mr. BURKE. I want the RECORD to show that I agree fully with the Senator from Alabama and the Senator from Tennessee. As one member of the Appropriations Committee, I consider that an altogether inadequate showing has been made as to the necessity for this very large appropriation in addition to the amount that was provided in the bill as it came to the Senate or even the amount that was submitted to the other body of the Congress for serious consideration. I hope this amendment will not be agreed to.

Mr. BANKHEAD. I am glad to have the statement of the Senator from Nebraska. He, with a few of the other members of the committee, was in opposition, as he has stated, in the committee to these increases in the items now under consideration.

Mr. HATCH. Mr. President, may I ask the Senator a further question?

Mr. BANKHEAD. I yield.

Mr. HATCH. Were these items considered by the House committee?

Mr. BANKHEAD. They were not. I am going to make a statement about that.

Mr. McKELLAR. Mr. President, will the Senator from New Mexico repeat his question?

Mr. HATCH. I asked if the items had been considered by the House committee.

Mr. McKELLAR. No; they have not been.

Mr. BANKHEAD. It developed, Mr. President, when the bill was reported by the subcommittee to the full committee—and I am not a member of the subcommittee but I happen to be a member of the committee itself—when these tremendous increases were brought before the committee, after a discussion of numerous small items, then came in this \$42,000,000 increase. It developed in these cases that the War Department had not even presented the items to the Budget Bureau; it had made no request respecting the attitude of the administration upon the subject; it had made no effort to secure a declaration from the Budget that the appropriation would not be inconsistent with the financial policy or program of the administration. No application was made to the Budget Bureau.

The next step, of course, as we all know, in the progress of an appropriation item is to present the item to the House committee, for we recognize that the House originates appropriation bills. They are jealous of that right and the Senate has heretofore recognized it. We initiate no appropriation bill, and an item involving this tremendous sum certainly deserves, under the rule which recognizes the House as having the right to initiate appropriations, that it should have been submitted to the House Appropriations Committee when they had this bill under consideration.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. MINTON. Who sponsored before the Senate Appropriations Committee these large increases?

Mr. BANKHEAD. They were sponsored by the senior Senator from New York [Mr. COPELAND]. No application has been made to the Military Affairs Committee either of the House or the Senate, no submission has been made to them of the program and plans for the national defense, we may assume, which are contemplated under the items contained in the bill in a gross-sum appropriation. I have never heard during my short experience in the Senate of an item approaching this in amount that had no consideration by the committee in either branch of Congress primarily charged with the duty of investigating and declaring a policy of Congress and of the Government upon the subject covered by such a large appropriation.

Mr. HATCH. Mr. President, will the Senator yield once more?

Mr. BANKHEAD. I will be glad to yield as often as the Senator desires me to.

Mr. HATCH. I am just a little puzzled about the situation.

Mr. BANKHEAD. So am I, I may say to the Senator.

Mr. HATCH. I have always understood that under the rule of the Appropriations Committee, as it is the rule of the Senate, no item may be increased or added to an appropriation bill unless a recommendation therefor has been made by a standing committee or else there has been an authorization by an act of Congress or estimates have been submitted by the Bureau of the Budget. Is there not such a rule as that?

Mr. BANKHEAD. There is no positive rule of that nature. There is, however, a general observance of such a practice.

Mr. COPELAND. There is a general authorization of law; there is not an item in this bill that is not authorized.

Mr. HATCH. Does the Senator from New York say these items have been authorized?

Mr. COPELAND. The whole subject of defense by ordinance and antiaircraft, the whole bill, is authorized by law.

Mr. BANKHEAD. There may be, of course, a program authorizing national defense, but there is no authorization specifically applying to what it was told us in the committee this money was intended for. We were even asked to pass on it on secret testimony. I would not accept secret testimony; I would not read it; because I do not want to be responsible for secret testimony and for keeping it secret when many men know what it is.

Mr. HITCHCOCK. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield to the Senator from South Dakota?

Mr. HITCHCOCK. Mr. President, I should like to know if there was not some discussion in the committee as to the relative merits of battleships and antiaircraft guns?

Mr. BANKHEAD. There was practically none.

Mr. HITCHCOCK. And this additional appropriation of \$42,000,000 is for antiaircraft guns, is it not?

Mr. BANKHEAD. There was a hint of that sort; we were asked, so to speak, to take it blindly on faith, because some general in the Army, on the invitation of the Senator from New York, came before the committee and said that it was needed or that the Army could well use it or something of that kind. I do not know what he said, for he did not testify before the full committee.

Mr. HITCHCOCK. I desire to go on record with the Senator as being against that appropriation then and now, because I cannot see that it is at all needed.

Mr. BANKHEAD. I am not passing on whether or not it is needed. Frankly, I am objecting to this procedure, which may result in such a large increase in our appropriations without a positive, convincing showing of the emergency for such an appropriation.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. OVERTON. Was not this increased appropriation supported by testimony of General Craig before the committee?

Mr. BANKHEAD. I heard it was, but he was not before the full committee. His testimony, if it was reported, was secret, and it was not submitted. But we know that if General Craig came before the subcommittee it was not on his own account; it was not on the initiative of the War Department, but on the invitation of the Senator from New York.

Mr. OVERTON. Mr. President, I should like to ask the Senator another question, if he will yield further.

Mr. BANKHEAD. I yield.

Mr. OVERTON. Does not the testimony at the hearing show that there is a very stern necessity for increasing our coast defenses?

Mr. BANKHEAD. I did not have the privilege of hearing the testimony before the subcommittee; I do not know what showing was made. I do know, though, that the matter was not submitted to the Budget; I do know that it was not taken to the House committee; I do know that there was no authorization for the War Department to appear before that committee and advocate the expenditure of this money. I do know, from statements made before the Appropriations Committee, that the matter was upon the initiative from somebody else or the Senator from New York inviting the general to be there. He did not come as the result of any program of the administration. If he came in that way, he came in violation of the orders he is expected to observe, that an officer is not to appear before any committee of the Congress and ask for appropriations that have not been approved by the Budget and by the President of the United States.

Mr. OVERTON. Mr. President, will the Senator yield for just one more question? Then I will conclude.

Mr. BANKHEAD. I yield.

Mr. OVERTON. Does not the record show and does not the Senator himself entertain the view, that the improvement of our coast defenses is very important for our national defense, and that this increased appropriation of less than \$50,000,000 is less than one-half the cost of a single battleship, and that the improvement of our coast defenses is even more important than the construction of an additional battleship?

Mr. BANKHEAD. Mr. President, I have no ability or capacity to pass upon the relative merits of the different agencies of national defense. I do not know whether the great expenditures we are making for new battleships, for

submarines, for antiaircraft guns, for artillery, and all the other weapons of national defense, are adequate or inadequate. I do not know whether a gun stationed, forsooth, at Charleston, and another at New Orleans, for the defense of our coasts, will prevent airships from coming over into our country at Savannah, or Jacksonville, or elsewhere along the thousands of miles of coast stretching all up and down the Pacific and the Atlantic. I do not even know what is contemplated to be done with this \$42,000,000.

Something has been said about national defense. Mr. President, I fear that our country and the Congress have grown unduly "jittery" on the subject of national defense. I recognize the turmoil and the tumult throughout the world, but it is not ours. No one is pointing a gun at the shores of America. In my judgment the countries 3,000 miles across the ocean have no desire to attempt to send either their battleships or their submarines or their aircraft across the ocean to attack the United States. So long as we move along the paths on which we are now moving of national friendship, of peace and brotherhood, I see no reason for our people to go to bed at night under excitement and alarm for fear that at daylight some foreign warship may be at our shores.

Are we moving under excitement? Are we progressing with due consideration and with calm judgment under prevailing conditions? What have we done in recent years in the name of national defense? All of us are interested in that subject, of course; but what has Congress been urged into doing, in the name of national defense, in the way of burdening the taxpayers of the country?

Let us see how the appropriations during the past 5 years have increased, both for the War Department and for the Navy Department.

I have not recently undertaken to gather the figures on the percentage of our expenditures that goes to pay for reparations of war and preparations for war; but I should estimate in a general way, and especially if the interest upon our preparation debts is considered, that 80 percent of all our national expenditures may be listed under those two subjects, including, as I said, interest upon the principal; but let us take first the figures for the War Department.

For the fiscal year 1935, for the War Department, we appropriated \$264,957,509.62. For 1936 we increased the amount some \$90,000,000, to \$355,835,520.68. For 1937 there was not a great increase; the total was \$388,244,859. For the fiscal year 1938 the appropriations aggregated \$415,263,154. The bill we now have under consideration, including the items to which I am objecting, carries \$490,981,813, against \$264,957,509.62 only 5 years ago.

The bill as it passed the House carried \$448,116,000. The committee has added expenditures of \$42,000,000 to the increases already made by the House, so that now the amount carried by the bill is almost half a billion dollars; and, as we all know, that does not include anything but war items. It does not include rivers and harbors and other items of appropriation which are administered by the War Department. That appropriation will come a little later on.

What about the Navy, Mr. President?

For the fiscal year 1935 we appropriated \$287,250,030.72 for the Navy. For 1936 we appropriated \$482,859,729.11 for the Navy. For 1937 we appropriated \$528,613,048.32. For 1938 there was a little decrease—we talked a little about balancing the Budget at that time—to \$516,543,308. For this fiscal year the naval bill carries—and it has been passed—\$549,227,842, as against \$287,250,030.72 only 5 years ago, with the real naval bill, with its billion-dollar authorization, now almost ready for consideration by the Senate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield to the Senator from Missouri.

Mr. CLARK. I point out to the Senator that in addition to the stupendous sum carried in this bill, and the sum to be authorized in the companion bill which will soon be before us, in the case of the commercial vessels which were recently sought to be constructed by the Maritime Commission the

lowest bids were more than 60 percent in excess of the estimate; so that if the same principle should govern the construction of naval vessels, in which we are even more at the mercy of the shipbuilders than in the case of commercial vessels, we do not know whether the 550-odd million dollars appropriated in the recent appropriation bill is within 50 percent of enough to construct the program which is sought to be constructed.

Mr. BANKHEAD. I thank the Senator for his statement.

Mr. President, I want it understood that I am not a pacifist. I believe in adequate and sufficient measures and equipment for the defense of our country. I happen, however, not to be an undue alarmist. I do not live in constant dread of an attack upon America overnight by any nation in the world. In the first place there is no reason for it, and I pray to God that there may hereafter be no reason for it. Broadly speaking, with our geographical position in the world, we are capable of taking care of our national defense; but if we need more, Mr. President, I am ready to vote it. I did not vote against the naval bill when it passed a few days ago, carrying an amount almost twice that of the bill of a few years ago for the fiscal year 1935; but in this case, without satisfactory reasons, without taking the regular and proper course of securing this appropriation with the War Department officially behind it, representatives of the Department are "hiding out," so to speak, not acting in the open, testifying secretly before the committee, with no submission to the Budget, with no approval of the financial policy which is necessarily a part of an orderly program of any administration. I submit that this is no time and no place to add amounts like this to the bill.

Mr. KING. Mr. President, will the Senator yield?

Mr. BANKHEAD. Just a minute, and then I will gladly yield to the Senator.

In addition to the two items on page 45, there are some items amounting to about \$20,000,000 on page 49. I asked the Senator from New York to give me a reference to them. By inadvertence he did not give it to me; and I now ask unanimous consent to reconsider the votes on those amendments also.

The PRESIDING OFFICER. Without objection, the votes by which the amendments on page 49 were agreed to will be reconsidered.

Mr. BANKHEAD. The increases carried by the amendments on page 45 and on page 49 amount to about \$46,000,000, as I hurriedly figured them up. Where is the money coming from, Mr. President? Already we have appropriated more than was budgeted. In all, for the annual appropriation bills of the Government, including the regular bills that are on their way here from the House, we have already gone far beyond the estimates made by the President as falling approximately within the amount of money that is to be collected in the way of taxes during the fiscal year.

Additional large increases are ahead of us, doubtless, according to the newspaper reports, such as a very large increase in the emergency relief item. We have passed bills appropriating in excess of the amount that will be collected by way of taxes, even if we collected as much in taxes as we did last year, and every intelligent man knows that with the difference in business conditions and with the reduction in incomes, the amount of taxes collected next year will be very largely below the amount collected for the fiscal year now expiring. If, however, we had assurance of collecting the same amount in taxes—and we know we have not—we have appropriated above that amount. Where are we to get the excess? When millions are added, as is being done here, without any reasonable consideration, without these items taking their proper and orderly course, an additional burden is being put upon the people of this country. We have to borrow the money, we have to pay interest on the money, and the interest as well as the principal must be collected out of the taxpayers of this country.

If we were spending current income, these problems would not be so serious, but, as I have stated, we have passed be-

yond the measure of current income. We have already entered upon the region and domain of borrowed money, interest-bearing obligations, more taxes to be levied, not only to repay the principal, but to provide indefinitely, forsooth, for the interest upon these additional appropriations.

Mr. President, let me point out that our total interest load for this year is approximately \$925,000,000. Nearly a billion dollars for interest is the burden now upon the taxpayers of this country. We may grow indifferent to the size of our appropriations, special items may appeal to us, and I think some do appeal to all of us, but we know that pay day must come, and some day we may be forced to carry the income tax down to the very low brackets; some day we may be required to do as England is doing, collect \$250 out of every thousand of income, 25 percent, even in the low brackets, getting right down to what we call the level of the poor man—and we are heading for it, or heading for repudiation, if we continue piling up obligations in excess of our income.

Already there is a movement, the results of which will be before us in a few days, coming out of the Finance Committee, to lower the brackets on the low incomes, to put them down, bringing a larger group of small-income men into the tax-paying group of this Nation. It may not be done now, with an election just ahead. The necessity may not be great enough at the moment to drive our people to do it in order to preserve our national credit. But there is no doubt about what will happen; it is a matter of mathematics. If we continue year after year to pile up the expenditures—a billion, two billion, three billion dollars—above the national income, then we must face the problem of going down as low as is necessary in taxing incomes in order to get enough money to preserve the credit of this great Nation, and to protect its securities from default.

Pay day is coming. It is easy to drift along and vote for these items. It is easy to go along with a committee report. I have done it many a time, but generally upon smaller items than this. But here, with a handful of 25 or 30 Senators present, we are about to vote, without any sort of reasonable time for consideration, just on the testimony of a witness or two before our subcommittee; and we are about to add at least \$42,000,000 for coast defense, someone says—defense for 6,000 miles or more of coast—putting an anti-aircraft gun here and one 450 miles somewhere farther down the line.

Ah, Senators, it is necessary before I vote to add to the tax burden that I know more about the necessity for the expenditure, the efficiency of what we are asked to do, the adequacy of the defense against foreign invaders, and what substantial contribution the item before me will make in a material way.

As I see it, we are spending enough for defense with this tremendous increase in the appropriation for the War Department, with the tremendous increase in the naval appropriation, and there will come during the next session request for an additional appropriation—and I may be for it. I do not know what the necessities may be, but if I believe it is necessary I will vote for it; if I do not believe in it I will not vote for it. It is likely that we will add at the next session to the staggering and stupendous amount through the naval appropriation bill for the construction of other instruments of national defense.

I therefore submit that if the Government wants this money, if the responsible administrators of our National Government, including the President, the Army Staff, the Navy Staff, and the others who are looked to, not one man, the Chief of Staff of the Army, or somebody else who may think he is looked to, but if our board of national defense come here and face a committee, whether it is in the House of Representatives or in the Senate—and I frankly think they ought to go to the House first—if they come here and ask for these items, these increases, and convince the committee holding the hearings that they ought to be granted, I will cheerfully go along. But under the present circumstances I believe I am acting for the welfare of the taxpayers of this country and for the best national interest when I

oppose the adoption of amendments increasing the appropriations.

Mr. BILBO. Mr. President, I regret very much to disagree with my distinguished friend the Senator from Alabama [Mr. BANKHEAD] as to the need for the pending amendment. I am not for war, I am for peace, peace at home and peace abroad; but I am not a pacifist in the general acceptance of that word.

When seeking a seat in the United States Senate before my constituents in Mississippi, a State adjoining Alabama, the main plank of my platform was that if permitted to go to the Senate I would speak and vote for every appropriation necessary to give the United States not the largest but the best and most effective Army and Navy for the defense of our country. Like the Senator from Alabama, I am not a jingo, I am not expecting an immediate war, but the best way to prevent a war is to have such a defense, such an army and such a navy so that every nation on the face of the earth will respect the rights of America at home and abroad, and so that when we speak through our representatives abroad or at home we can speak with authority and with something behind that authority to back up whatever position we might want to take.

The best way to protect the lives of our soldiers, our sailors, our citizens, is to be thoroughly prepared for any eventuality, and let that preparation come in times of peace, so that if we are forced into a defense of our country, if we are first to go to war, we will both be so efficiently and effectively prepared for the war that we will save the lives of our citizens from the very beginning of such a war, and not have them butchered while we are waiting to get ready for the proper defense of our country and the prosecution of whatever cause we may undertake.

We have only to look at Japan and China in the great struggle in which they are now engaged, the Japanese with a thoroughly efficient fighting force, thoroughly mechanized, slaughtering the helpless Chinese by the tens of thousands because the Chinese have followed a policy of not preparing for their own defense.

Mr. POPE. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. POPE. Is the Senator going to discuss the reason or necessity for increasing the appropriations in the amendments which are now before the Senate, or is the Senator simply going to make a general statement?

Mr. BILBO. I am going to make a general statement.

Mr. POPE. For instance, I observe there has been an increase in the committee amendment on page 45, line 19, from \$2,900,000 to \$12,900,000. I take it that increase is made in spite of the recommendation of the Bureau of the Budget. I wonder what possibly could have caused the increase of \$10,000,000 over the amount recommended by the Budget.

Mr. BILBO. I will cover that in a general way. Everyone who has any conception about the Army and the Navy, and the proper organization of these branches of defense of the country, knows that there are such things as secrets in the Navy and secrets in the Army. I am informed that the Chief of Staff, who speaks for the War Department—and I take it he speaks authoritatively—came before our committee and emphasized the necessity of this appropriation for the proper defense of our country. It is true that a considerable amount of the information given to the committee was not published; it was not printed in the report of the hearings possibly; it was not given to the press, and properly so, because if we are going to reveal everything that we have up our sleeves we in a way destroy the effectiveness of whatever preparation we make for defense.

I am informed through members of the committee that information was given to the committee that was not given to the public press, and that the Chief of Staff insists that for the proper defense of our country the amounts in question should be allowed.

Mr. POPE. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. POPE. What could be the reason why the Chief of Staff did not appear before the Bureau of the Budget and give any information he might have, which might justify the claim of necessity for such increased expenditures as these?

Mr. BILBO. I am not advised why he did not go before the Budget Bureau. I have observed in connection with a great many appropriation bills, including the one under consideration, that we do not so religiously observe the recommendations of the Budget Bureau.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. McKELLAR. I think there has been a misrepresentation—unintentional, of course—of General Craig's position. He talked very plainly about it, almost at the very beginning of his testimony, on page 7. This is the Chief of Staff, the highest executive in our Army, speaking. I quote his words:

In the opinion of the War Department the House has passed an excellent and, within the limitations of the Budget, a well-balanced bill. Personnel in the Air Corps continues to lag considerably behind matériel.

That statement is made by our commanding general, one of the finest men that I know, by the way. He says that, in his opinion, "the House has passed an excellent and, within the limitations of the Budget, a well-balanced bill." Surely, if he had thought there was something out of gear with our Army, surely had he thought that we were subject to reprisal, or to attacks from the sea, he would have said something about it of his own accord. It is true he made some statements afterward, to which I will refer, and they are even stronger than this statement. Whatever came from General Craig was drawn out of him by cross-examination, as the Senator will find if he merely looks at the hearings before the committee.

Mr. OVERTON. Since the Senator from Tennessee has referred to some of the testimony by General Craig, I think it might be well to refer to other portions of his testimony wherein he deals specifically with the problem before the Senate.

Mr. McKELLAR. I hope the Senator will.

Mr. OVERTON. I read from page 23 of the hearings, as follows:

Senator COPELAND. Are our coastal cities protected sufficiently?

General CRAIG. Not from aerial bombardment.

Senator COPELAND. Not one?

General CRAIG. No, sir.

I refer to page 27, wherein he makes the statement:

General CRAIG. We are in urgent need of additional antiaircraft armament, and it is also necessary to augment our seacoast armament in some localities.

Senator COPELAND. The words you used were that we are critically weak?

General CRAIG. In antiaircraft matériel.

Colonel CHAFFEE. There is still required for the antiaircraft program for the 34 mobile regiments for part of our harbor defenses and for Panama and Hawaii, \$54,000,000. These estimates carry about \$12,700,000 toward that \$54,000,000.

Senator COPELAND. Less than the cost of a warship.

Colonel CHAFFEE. Yes, sir; less than the cost of a big warship.

And again on page 30, he is asked this question:

Senator COPELAND. Well, anyway, let us leave that for the moment. How much has been spent on the protection of the Panama Canal?

General CRAIG. Colonel Chaffee says about \$50,000,000.

Senator COPELAND. About half the price of a modern war vessel. And you need the small sum of six millions to give it that complete protection which it should have?

General CRAIG. About eight million.

Senator COPELAND. Have you got the money in the bill for that?

General CRAIG. For this purpose the House bill carries \$1,406,104.

I think it might be well to call the attention of the Senate to those specific statements made by General Craig.

Mr. McKELLAR. I am glad the Senator did that. I wish to call the Senate's attention to another statement on page 9 in the same testimony by General Craig:

Supplemental estimates—

The Department had gone before the Budget Bureau and gotten its regular estimates, and then on January 28 come the supplemental estimates for these very things:

Supplemental estimates submitted to the Congress by the President in his national-defense message of January 28 last, provided for the following:

Antiaircraft matériel.....	\$8,800,000
Aids to manufacture in an emergency, including special machinery, jigs, and dies.....	6,080,000
Deficiencies in ammunition.....	2,000,000
Total	16,880,000

I still quote from General Craig:

Appropriations for these items, without change, are provided for in the House bill. They are included in programs discussed hereafter.

What have we now done? The Bureau of the Budget estimates came in last fall and left out these items amounting to \$16,880,000. Supplemental estimates were presented on behalf of the War Department by General Craig, the head of our Army. The President approved them. They were sent down to the Congress. They are in this bill. They are in the bill as it passed the House. Now, notwithstanding that, a majority of our committee voted to put some \$30,000,000 more, I believe, in all the various items. In other words, the General of the Army is wrong, the Budget is wrong, the President is wrong, and nobody but the majority of the committee is right. That is one time I do not agree with the majority.

Mr. BILBO. In that statement the Senator may be right and everyone may be wrong but the committee, but I rose only to express my approval of the decision of the majority of the committee on these items, and to give expression to my general sentiments about adequate preparation now for proper defense of our country.

I believe in balancing the Budget, but I do not believe in attempting to balance the Budget at a sacrifice of the proper defense means for our common country.

Since I have been in Congress, I have at various times had to entertain a number of peace lobbyists or pacifists who are opposed to any kind of an Army or any kind of Navy. I do not know where that sentiment arises in America, the land which is supposed to be peopled by red-blooded men and women who believe in standing for principle and defending a righteous cause. We can listen to the namby-pamby expressions by these pacifists. It may not be in a short while, but it will not be many years before there will be a real fight on hand to preserve democratic government in the world. If I read aright the signs of what is going on across the sea, there will be no limit to the ambition of Hitler, Mussolini, and others who have started out to rule the world.

I think one of the most serious mistakes Congress is making is in spending such vast sums on our C. C. C. camps, bringing together the young men of the country and denying them military discipline and training. I think that is one mistake we are making. The C. C. C. boys are a splendid body of young men, and represent a wonderful investment on the part of the Government in these strenuous times; but, no matter how good the discipline, we should have better discipline and better results in the conduct of the C. C. C. camps if we spent part of the time in giving the young men wholesome military training, thus preparing them for eventualities which may come, in connection with which the young men will be badly needed in the defense of the country.

Mr. McKELLAR. Mr. President, I wish to add just a word or two.

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To begin with, I wish to say that I am not now, never have been, and never expect to be, any part of a pacifist. I believe in all proper defense measures. However, there is the greatest difference of opinion in such matters. General Craig testifies to the very great difference of opinion as to the value of the kind of guns—or matériel, as it is now called—to be purchased by this appropriation.

For example, suppose a big battery were placed around New York City, and it were attacked by airplanes: The airplanes would not come within range of the stationary guns in New York City and along the coast. Enemy aircraft would not go near those guns. The enemy aircraft would go down the Jersey coast, or along the coast of Long Island, where there are no stationary guns. Great difference of opinion exists as to the value of such guns under the new conditions of warfare and the use of aircraft. I do not know what the correct answer is. Some authorities claim it is one thing, and some another.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BILBO. Does not the Senator think he is rather severely attacking the War Department?

Mr. McKELLAR. Quite the contrary.

Mr. BILBO. The Senator says the War Department would not know how to expend the money properly in the national defense against any possible attack.

Mr. McKELLAR. We are not instructing the War Department. The War Department has asked us for certain things, and we have given the War Department everything it has asked. We have given the War Department the matériel. We have given the War Department the money to obtain the guns. We have given the Department everything it has asked.

After the Department finished with the Budget estimate, it came to Congress in January. General Craig and other Army officials asked for a supplemental estimate of \$16,880,000, which is included in the House provision. We have given the War Department what it has asked. The Department ought to know more about the subject than we do. Instead of reflecting upon the War Department, I am defending the War Department.

The War Department knows what it is doing. We have unusually competent officers in the War Department. Representatives of the War Department presented the matters of importance to the Bureau of the Budget and to the President, and came to Congress with Budget estimates. The House has allowed the Budget estimates, and we ought to stand by that action. We ought not to add money which no one has asked for.

General Craig said, as set forth on page 7 of the hearings before the Senate Committee on Appropriations:

In the opinion of the War Department, the House has passed an excellent, and, within the limitations of the Budget, a well-balanced bill.

I desire to call attention to the way in which General Craig closed the discussion. I refer to page 30 of the hearings:

Senator COPELAND. Now, a further question: Have you in your reports or in your requests to the Budget presented your needs as regards these coastal defenses?

General CRAIG. When we go before the Bureau of the Budget each year, we present our general program, but we do not ask for funds to complete in any one year.

Senator COPELAND. That is to say, if we want to go forward on this program, which will cost fifty or sixty millions, would you need 5 years to complete it?

General CRAIG. If appropriations were made available, it would be practicable to complete it in less time—perhaps 3 or 4 years.

Senator COPELAND. How much could you spend in the first year toward that program? I mean if we were liberal and inclined to give you the money.

The Senator from New York asked General Craig how much he could spend in the first year toward the program, meaning the seacoast-defense program. General Craig replied:

I could only answer that question after consultation with the procurement and construction agencies immediately concerned.

He could not answer the question; and yet, in spite of his answer, we have before us a program which the distinguished Senator from New York says will cost \$50,000,000 or \$60,000,000; and we are giving the Department \$30,000,000 the first year without knowing whether they can spend it during the next year, and without knowing what will happen to it. We are giving the Department approximately half the amount in one year.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BANKHEAD. Let me get the figures straight. We are appropriating \$32,000,000 and authorizing contracts for \$10,000,000 more.

Mr. McKELLAR. That represents a total of \$42,000,000, or virtually the amount of the entire program for the coming year. General Craig did not know whether or not the program could be completed in 1 year. He thought it would take 3 or 4 years. If we divide \$50,000,000 or \$60,000,000 by 3 or 4, the result is not \$42,000,000; and yet we are turning over \$42,000,000 of the money at this time.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BYRNES. I wonder whether it is accurate to state that the program represents an appropriation of \$32,000,000 and a contract authorization of \$10,000,000, or whether it is an appropriation of \$42,000,000 with a contract authorization of \$10,000,000.

Mr. McKELLAR. Until my attention was directed to the matter a moment ago by the Senator from Alabama, I had the idea that the appropriation was \$32,000,000 and the contract authorization \$10,000,000 more. I do not know how it stands. The matter will have to be explained by the chairman of the subcommittee.

I do not know, because we have no estimate of it. We do not know what can be done with the money. I know that General Craig is a truthful man. I think he is one of the most accomplished and efficient generals we have ever had in the Army, and we have had many of the very finest. When General Craig tells the committee that it would take probably 3 or 4 years to expend properly the \$50,000,000 or \$60,000,000, surely he cannot spend \$42,000,000 of it, or even \$32,000,000 of it, in one year. If he could do so, he would have so stated.

As I said awhile ago, it is useless for the people to get panicky. I am just as much in favor of national defense as is any human being on earth, but I do not think I am panicky about it. I am just as much in favor of an army which will properly defend our country as any man can be, and yet I do not think there is any use in getting panicky about it.

We all know that if we are attacked from the sea by airplanes, or from across the ocean by airplanes, or from the north or from the south by airplanes, we shall not have enough stationary guns to protect our shores. Take the illustration which I gave awhile ago. We do not propose to install any stationary guns in Atlantic City, or Cape May, or anywhere until we get down near the mouth of the Potomac River. Foreign airplanes could enter the country between the points where such stationary guns are located, and they certainly would do so. As we all know, we have mobile anti-aircraft guns, which afford the best means of protection.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BYRNES. I have been absent from the Chamber. I wonder if the Senator has called attention to another contract authorization in connection with ordnance, with respect to which there is an increase of \$10,000,000.

Mr. McKELLAR. That is one of the items. To what page does the Senator refer?

Mr. BYRNES. Page 45. I desire to say that I was unaware of it in the committee. There is an increase of \$10,000,000 in the contract authorization under "Ordnance." The amount is increased from \$2,900,000 to \$12,900,000.

Mr. McKELLAR. That represents an increase of \$10,000,000. As the Senator knows, I am not a member of the subcommittee on the War Department appropriation bill, and I do not believe the Senator from South Carolina is.

Mr. BYRNES. No.

Mr. McKELLAR. All we learned about it we learned in about an hour of discussion yesterday afternoon. But when I put my mind to work on it, I see that we are going far beyond anything which has been asked or anything which is required. There is no use in throwing away the money of the American people.

Mr. BYRNES. Has the Senator been able to calculate the amount of reappropriations in the bill?

Mr. McKELLAR. I have not.

Mr. BYRNES. I have hastily attempted to do so; and I find that out of the money which was reserved by the President out of funds appropriated in the House bill, and now by language in the Senate amendment, several million dollars are reappropriated by the provisions of the bill.

The money was made available to the President; and the executive departments—which have been criticized, and justly so at times, about expenditures—attempted to economize by reserving certain funds. The Congress now is not making an appropriation which will show in the total appropriations but is inserting in the bill language reappropriating money which was not spent this year and authorizing its expenditure next year.

Mr. McKELLAR. That is true.

Mr. BYRNES. The money will be spent.

Mr. McKELLAR. Absolutely.

Mr. BYRNES. It may not show in the total expenditures; but I should like to know if anyone has figured the amount that is made available for expenditure by this bill, both in appropriations and in reappropriations.

Mr. McKELLAR. As I told the Senator, I was not on the subcommittee, and I cannot give him accurate information on that point. What I have learned is derived from the printed record that we have before us. The Senator is unusually careful in making his calculations, and I am sure they are correct.

Mr. POPE. Mr. President—

Mr. McKELLAR. I yield to the Senator from Idaho.

Mr. POPE. Who is sponsoring this bill on the floor who can answer such questions as the Senator from South Carolina has just asked?

Mr. McKELLAR. The chairman of the subcommittee, the distinguished Senator from New York [Mr. COPELAND].

Mr. POPE. I should like to know the amount of the reappropriations. I should also like to know the reason for the increases.

Mr. McKELLAR. I think I have said all I want to say about the matter. I am opposed to this appropriation. I think it would be a useless and wasteful expenditure of the public money. I am not in favor of it. I am going to vote against it.

Now I am going to yield the floor to let the Senator from Idaho ask his question of the distinguished Senator from New York, who, I have no doubt, will be able to give him the information he desires.

Mr. COPELAND. Mr. President, the Senator who has just taken his seat is the ranking member, next to the chairman, of the Appropriations Committee. He has made today the most serious indictment of the Appropriations Committee that any man has ever made on the floor of the Senate in my time. No self-respecting man could long serve as chairman of a subcommittee of the Appropriations Committee and then be held up to criticism and scorn as I have been this afternoon.

Mr. McKELLAR. Oh, Mr. President—

Mr. COPELAND. Mr. President, I do not yield. I refuse to yield.

Mr. McKELLAR. I did not intend to do that.

Mr. COPELAND. I absolutely refuse to yield.

Mr. McKELLAR. The Senator referred to me. I rise to a question of personal privilege.

The PRESIDING OFFICER. The Senator will state his question of personal privilege.

Mr. McKELLAR. I have not made any such statements; I do not think the Senator from New York is in order when he charges me with making any such statements, or making any such charges against him. I have not indicted anybody. I am opposed to this amendment.

Mr. COPELAND. Mr. President, the only way for us to do in the future is to have the hearings on all bills before the entire committee. Then every member of the committee will take equal responsibility with all the rest for what finally comes from the committee.

Yesterday, when this matter was considered by the full committee, no attention whatever was given to what was brought out in the hearings in the Senate subcommittee. Constant reference was made to what happened in the House committee. Have we become so anemic, so weak and useless, that from this time forward we are going to take without amendment what comes from the House, and give no consideration in the Senate to any possible additions which should be made here?

If I know anything about the laws of this country and its Constitution, I know that it is intended that when appropriation bills come from the House they shall be amended by the Senate as it deems proper. There is not anything in the Constitution which says that they shall originate in the House. That is merely a custom. The revenue bills must originate in the House, but it is only a custom which makes the appropriation bills originate there.

Mr. President, the Senate committee had hearings on this bill; and no member of the full committee until today has sought to refer to the report of those hearings except here and there. We had a well-attended meeting of the committee in which there were four votes against this amendment; and the four men from the committee are the ones who have risen on the floor to say that they oppose the bill.

Mr. BURKE. Mr. President, will the Senator yield at that point?

Mr. COPELAND. I yield to the Senator from Nebraska.

Mr. BURKE. I believe, if the Senator will refresh his memory, that there were six votes in the committee against this amendment instead of four.

Mr. COPELAND. There were six votes against it, were there?

Mr. BURKE. Yes.

Mr. COPELAND. Very well. Then five of the men who voted against it, since the Senator from Nebraska has risen, have expressed themselves here in opposition to the bill.

Mr. President, there used to be what we called "senatorial courtesy." That used to be the practice. There is not any senatorial courtesy now. When I came into the Senate I was told, "When you are a member of a committee and have had your battle in the committee, when you come to the floor of the Senate you follow the committee." That is not the practice now; but here we have gone on, and I have been held up to scorn, for what reason? Because I have tried to call the attention of the country to the fact that there is no sufficient coastal defense of the cities of America, representing 40,000,000 of the population of America. Beginning at Portland, Maine, and going down the Atlantic coast, and along the Gulf coast, and through the Panama Canal, and up the Pacific coast, and over to Hawaii, there is no sufficient defense. "Lamentably weak," "pathetically weak," are the terms that were used by those in the Army.

The Senator from Tennessee [Mr. McKELLAR] quoted very briefly from the hearings. I hope he has read all of the hearings this afternoon.

Mr. McKELLAR. Mr. President, may I ask when the hearings were printed?

Mr. COPELAND. They were on the table yesterday when the Senator was present in the Appropriations Committee. They were in print yesterday.

Mr. McKELLAR. I did not see them. Were they there?

Mr. COPELAND. They were there.

When I asked General Craig the question:

How much could you spend in the first year toward that program? I mean, if we were liberal and inclined to give you the money?

General Craig said:

I could only answer that question after conclusion with the procurement and construction agencies immediately concerned.

The Senator from Tennessee makes a great point of that. I ask the Senator from Tennessee did I or did I not, in the Appropriations Committee yesterday afternoon, read the reply of the Chief of Staff to the question which I had asked him, transmitted to me after he had had consultation with the Procurement Division and with the manufacturers of the country?

Mr. McKELLAR. We had a letter there which I did not see. It was not printed. Is it printed in the hearings?

Mr. COPELAND. It is not.

Mr. McKELLAR. It is not printed at all, and I heard only the latter part of it read. The Senator will remember that this bill was reported yesterday morning by the subcommittee and was taken up in the afternoon and passed on by the full committee.

Mr. COPELAND. Is the Senator from Tennessee familiar with the methods that are used in the Appropriations Committee? Does he sometimes have matters brought up in the Appropriations Committee and the full committee when we have not had them printed in the hearings?

Mr. McKELLAR. I am familiar with that. It has happened once or twice, but it is rather unusual. I have been on the committee a long time.

Mr. COPELAND. Does the Senator have the slightest recollection that yesterday afternoon I read this letter from General Craig?

Mr. McKELLAR. The Senator did not read all that letter from General Craig.

Mr. COPELAND. I read every word of this letter from General Craig.

Mr. McKELLAR. If the Senator says he did, I will not dispute him; but it was certainly read faster and quicker, for a long letter like that, than I ever heard of.

Mr. COPELAND. I am trying my very best to stimulate the memory of the Senator.

Mr. McKELLAR. Will the Senator let me read the letter, let me look at it?

Mr. COPELAND. I am glad to hand the Senator the letter, and he may recall that I had certain secret documents which, for the good of the country and the defense of the country, in order that our possible enemies might not know the details, were kept secret; he may recall that they were available to any Senator, and several Senators availed themselves of the opportunity to read the documents.

The Senator from Alabama says he would not look at any secret document. He would expose our country to an enemy rather than look at a secret document to see how our wise Army staff is seeking to protect us against any possible enemy, but he would not look at any secret paper.

Mr. BANKHEAD. I did not, either.

Mr. COPELAND. I do not know whether the Senator did or not. I did not watch the papers. I had to hunt pretty hard to find them at the end of the hearing.

Mr. BURKE. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. BURKE. As one member of the committee, I wish to say that I read the secret documents, so-called, as offered by the chairman of the subcommittee, and to my way of thinking they could just as well be printed on the front page of every newspaper in this country and abroad, and they would not endanger in the slightest degree any city in this country or any material interest in this country.

There was nothing in those secret documents that justified all this talk about the Chief of Staff having presented a condition so dangerous that we must now open the purse-strings and pour out an unlimited sum of money. If there were anything in that position, it would make necessary the discharge of the Chief of Staff and our getting a new one right away, because in the House committee and before the Budget he did not say anything about this condition which now is denominated as so secret and terrifying.

Mr. POPE. Mr. President, will the Senator from New York yield?

Mr. COPELAND. I yield.

Mr. POPE. Did General Craig, the Chief of Staff, indicate that between the time he testified before the House committee and before the Bureau of the Budget, conditions had changed?

Mr. COPELAND. Certainly. This appropriation was made up in May 1937, and was presented to the Budget on the 15th of September. Has the Senator been reading the newspapers to see what happened in Austria and in Lithuania, and what may happen to Czechoslovakia, and what has happened to Spain? Has he read of any of the things which have happened since the 15th of September 1937?

Mr. POPE. Will the Senator permit me to answer?

Mr. COPELAND. Certainly.

Mr. POPE. Of course I have read them, but I asked the Senator whether New York, New Orleans, and other cities were faced with a peculiar situation now which did not exist several months ago with reference to the defense of those cities. That is a specific question.

Mr. COPELAND. Is the Senator asking whether these cities have been placed in a new position?

Mr. POPE. Yes.

Mr. COPELAND. No; they have not. They are in their old position, which we are trying to correct.

The Senator lives in an interior State, but he need not pride himself, for an enemy could bomb his State and the cities in his State just as well as they could bomb New York.

If the Senator means to imply that I am seeking some protection for New York that is not to be given to the rest of the country he is just dreaming, as he did when he put over the agricultural bill.

Mr. POPE. I think I was wide awake at that time. Let me say to the Senator that I did not intend to infer that New York should not be protected.

Mr. COPELAND. What has the Senator in mind in asking his question?

Mr. POPE. I am trying to find out whether General Craig said that conditions as to New York and New Orleans had changed within the last few months, whether conditions as to defense had changed.

Mr. COPELAND. No; the conditions regarding defense have not changed in the last few months, but the conditions regarding possible offense against them have changed a great deal in the last few months.

Mr. POPE. Does the pending bill deal with offense or defense?

Mr. COPELAND. The bill deals wholly with defense, and when I speak of offense, I am referring to the offense of a possible enemy.

Mr. POPE. I was speaking about defense. Have the conditions as to defense changed?

Mr. COPELAND. The need for defense? Is that what the Senator means?

Mr. POPE. Yes.

Mr. COPELAND. Of course the need has changed. Why does the Senator ask me that question? He knows as well as I do that the need for defense has increased.

Mr. POPE. Let me ask the Senator one other question. Does he now refer to conditions overseas? I was asking about the defense of various cities. Does the Senator refer to the general condition overseas when he says conditions have changed?

Mr. COPELAND. Yes.

Mr. POPE. I wish to understand the Senator.

Mr. COPELAND. Very well. The Senator has the answer. Let me ask the Senator a question. Are conditions pleasant overseas? Does it please the Senator to see bombs poured upon defenseless cities? Does it please the Senator to see overnight a great dictator move into a country and take away its autonomy? Does it please the Senator to see Poland take over a part of Lithuania? Does it please the Senator to see Czechoslovakia in a nutcracker and likely to be crushed at any time?

Mr. POPE. Certainly not.

Mr. COPELAND. Does it please the Senator, or, on the other hand, does it stimulate him, to say, "I am determined that my country shall not send a man against any other country"? Not a vote could be obtained in the Senate, in my opinion, for any sort of offensive warfare on the part of the United States.

I am not happy over the idea of a big navy. I voted for the naval appropriation bill. Where is the chairman of the subcommittee? After making an attack on the Army bill, he disappears from the floor of the Senate. I voted for the bill he had in charge.

Mr. McKELLAR. To what chairman does the Senator refer?

Mr. COPELAND. I mean the chairman of the naval affairs subcommittee of the Appropriations Committee of the Senate, the Senator from South Carolina [Mr. BYRNES]. He asked me his questions and then slid out of the Senate. I voted for the bill he had in charge because I am a member of the Committee on Appropriations, and I conceive it to be my duty to make my fight in the committee on any feature I oppose, and then hold my peace. Yet here

is this attack against the pending bill, a bill thoroughly considered by the subcommittee, thoroughly studied by the subcommittee.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. COPELAND. In just a moment. I have no intention of going on forever. I am in no wrath. I am attempting to call the attention of the country to the fact, which is a fact, that there is not one city in the United States efficiently guarded against the possibility of air bombardment. I am not confining it to the coastal cities; I am not talking particularly about New York, or Boston, or Philadelphia, or San Francisco, or Los Angeles.

Have Senators seen the great flying fortresses which went from this country to Brazil and back in an amazingly short time? Have they considered them? Suppose there were a base in Mexico; do Senators think that St. Louis, and Kansas City, and Chicago, and Milwaukee, and Detroit would be safe? They would not be. Airplanes might shower some bombs on Nebraska and on Idaho.

Mr. President, I want to get the reaction of the country when the people find that the great cities of this country are vulnerable; Portland, Maine, and Portsmouth, N. H., Boston, and Providence, R. I., and the cities of Connecticut and New York and on down through New Jersey and Delaware; and Philadelphia and the opening of the Chesapeake Bay; Galveston, New Orleans, the Panama Canal, and Los Angeles, San Francisco, Seattle, and Portland. Every city I have named is vulnerable.

I have recently seen a picture of a row of school children killed in a city in Spain. That is what may be pictured in this country, in the cities of the United States unless we provide ourselves protection.

The well-informed members of the Committee on Appropriations, who gave 15 minutes of study to this matter, may talk all they please about the attitude of the War Department; but the War Department, with a staff presided over by a great Chief of Staff, is fully informed of the weaknesses which I have named.

Mr. President, I have asked these questions, and why did I ask them? Because a great newspaperman came to me 4 or 5 weeks ago and brought me a report covering what that progressive newspaper had found of the conditions in the cities of America. He was going to give publicity to the lack of defense, the woeful lack of defense, and I begged of him not to do it. I said, "Wait until we can actually provide the remedy, can cure the condition, at the same time that the news of our danger should break."

Mr. President, we do not have a friend in this world, speaking nationally. The United States has not a friend in the world. Secretly or openly the hand of every nation is against the United States. We are supposed to possess great wealth. We are in many ways the envy of the world. Why do we pride ourselves that we are immune from attack, that nothing can happen here such as happened in Spain, in Ethiopia, in Germany and Austria, and in Poland, in Lithuania, and elsewhere? Why do we flatter ourselves that we are immune? We are not immune.

Mr. President, in my humble way I am seeking to let the country know that by spending \$30,000,000, plus a contractual arrangement next year of \$10,000,000 more, a total of \$40,000,000, we may make the cities of America reasonably safe against disaster. Is that not worth while?

Yet there are Senators who desire to be so technical and fussy, who have not informed themselves as they should, who sneer at the suggestion and say "Why did not the Chief of Staff demand it?"

Anyone who knows the processes of the Budget knows that the Chief of Staff cannot come to the Senate of the United States and say, "My God, we have no defense." That is not the way it is done. He would lose his job tomorrow if he did that. He did the best he could. If I had time to do it I could show the various steps that he took, and try to bring them to the Senate's attention.

Mr. President, one of the new Navy ships will cost \$100,000,000. Is it not worth while to spend half the price of one of those great Navy ships to give protection to the women and children and the helpless ones in time of war by means of the aircraft guns which the Senator from Tennessee [Mr. McKellar] says are fixed and cannot be moved? When he said that, I knew that he had not read the hearings. These guns are mobile guns that can be taken by motor transport from Boston to Providence or to South Carolina, or wherever they may be desired.

Mr. President, I am perfectly clear that we should spend this money. I have done the best I can. If the Senate of the United States is going to be governed by five or six men who have not informed themselves thoroughly of the situation, I am satisfied. At least I have told the country, and I am speaking for my unanimous committee, for every member of my committee who did examine into the facts—that we need to spend this money. If the Senate tomorrow does not choose to do it, that is perfectly all right. At least I have told the country that the cities of America are not defended; our defenses are pitifully weak; our harbors are not properly defended; the Panama Canal is not properly defended; Hawaii is not properly defended. Those are the facts that were brought out in our hearings.

The Senator from Nebraska [Mr. Burke] has said that all these facts should be given to the country. I have given some of them, and have gone further with respect to some of them than I expected to go.

If it is agreeable to the Senate, I am about to move a recess.

Mr. McKELLAR. Mr. President, will the Senator withhold that motion for a moment until I have opportunity to read some of the testimony of General Craig from the committee hearings? His testimony was that on which action was taken. I read first from page 24:

Senator COPELAND. Well, ought we to have some good modern 16-inch guns to protect New York Harbor?

General CRAIG. The present seacoast armament in the harbor defenses of Sandy Hook is considered adequate. However, it is planned to provide additional batteries at other places for the defense of New York.

Senator COPELAND. As far as Fort Tilden is concerned, are the conditions there satisfactory to you?

General CRAIG. Yes, sir.

And again I read:

Senator COPELAND. Well, now, General, if I am correctly advised, in order to do as they have done in the protection of London, you would have to have 900 modern guns?

General CRAIG. It is impracticable to make such a comparison. With 34 regiments, we believe that we can provide reasonably adequate protection for areas in the United States which may be subject to aerial attack.

Senator COPELAND. All right. How many of those can you provide? What have you got in sight?

General CRAIG. With those provided in the House bill, we shall have 141 antiaircraft guns of the 408 required.

Senator COPELAND. Let me follow this out, because I want a good record on this. Let us take Boston. The Coast Artillery with two 16-inch guns guards the harbor; all of those guns are obsolete. They need ten 16-inch guns to fully protect the harbor, and there is no antiaircraft defense. The need is for 100 modern antiaircraft guns to protect Boston and the Army and Navy bases. Do you think those figures are anywhere near right?

General CRAIG. They are incorrect. The seacoast guns installed for the defense of Boston Harbor are considered adequate. The antiaircraft protection of Boston, as of other threatened localities, must be provided by mobile guns which can be moved from one locality to another.

I read further:

Senator COPELAND. Now, on the west coast—San Francisco?

General CRAIG. With the funds in the House bill, the antiaircraft guns required for the harbor defenses of the Pacific coast will be provided.

Something was said about the inland cities.

Mr. McNARY. Mr. President, would the Senator be willing to conclude his reading tomorrow?

Mr. McKELLAR. I have just one or two more excerpts, and then I shall be through. I want to read one with regard to St. Louis:

Senator HAYDEN. But the Congress would be interested, however, to know that the type of equipment that you propose to purchase would be effective in comparison with the deadliness of

the plane itself. That is, you do have greater accuracy in placing the spot where the shells shall explode in the air?

General CRAIG. If you talk to an Air Service man, he will tell you that he can render antiaircraft ineffective, and if you talk to an antiaircraft man, he would persuade you that they can't do any such thing. I don't know.

Senator COPELAND. Now, General, suppose it might happen that in spite of all vigilance, a plane slipped over and dropped a few bombs on Chicago. Could that happen?

General CRAIG. I think it highly improbable. It would be impracticable to initiate such a raid from the Atlantic seaboard.

Senator COPELAND. Suppose they came from Mexico?

General CRAIG. If they had a base there and had planes equal to our big ones, they might, but I doubt if it would be attempted.

Senator COPELAND. If they had a base in Mexico, they might drop bombs on Kansas City or St. Louis?

General CRAIG. It would be possible, but our defending aircraft must be taken into consideration.

Senator COPELAND. No; I am not ignoring it. I am just imagining that on some dark night, when the apparatus was not working, a plane might slip in. Well, anyway, let us leave that for the moment. How much has been spent on the protection of the Panama Canal?

General CRAIG. Colonel Chaffee says about \$50,000,000.

Senator COPELAND. About half the price of a modern war vessel. And you need the small sum of six millions to give it that complete protection which it should have?

General CRAIG. About eight million.

Senator COPELAND. Have you got the money in the bill for that?

General CRAIG. For this purpose the House bill carries \$1,-406,104.

Senator COPELAND. Now, a further question: Have you in your reports or in your requests to the Budget presented your needs as regards these coastal defenses?

General CRAIG. When we go before the Bureau of the Budget each year, we present our general program, but we do not ask for funds to complete in any one year.

That concludes the reading. I submit the testimony of General Craig, whom every man here looks up to and admires, and knows that he tells the truth when he speaks.

Mr. COPELAND. I am glad the Senator says that General Craig tells the truth. I think he does.

Mr. McKELLAR. I do.

THEFT OF PROPERTY OF UNITED STATES—INDEFINITE POSTPONEMENT OF BILL

Mr. CONNALLY. Mr. President, I ask unanimous consent for the indefinite postponement of Senate bill 3096, to amend section 35 of the Criminal Code, as amended (U. S. C., title 18, sec. 82), relating to purloining, stealing, or injuring property of the United States. The reason for the request is that a few days ago the Senate passed a similar House bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSFER OF ENLISTED MEN OF COAST GUARD TO FLEET NAVAL RESERVE

Mr. REYNOLDS. Mr. President, on April 19, 1937, I introduced in the Senate a bill to provide for the transfer of enlisted men of the Coast Guard to the Fleet Naval Reserve.

Later, that is to say, on August 16, 1937, as a result of objections raised by certain Members of this body, I had printed some amendments to the bill.

I now ask unanimous consent that I be permitted to submit those amendments, and that they be considered with Senate bill 2206, which I introduced on April 20, 1937, and which bill, incidentally, is printed on the calendar and designated Order of Business No. 1104, in order that when I call it to the attention of the Senate for passage or consideration the amendments which I have just sent to the desk shall be considered with the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McNARY. Mr. President, I understand that no effort is to be made at this time to have the amendments considered. They are simply to lie on the table?

Mr. REYNOLDS. Oh, no; I am not asking for the consideration of the amendments. I am merely asking that I be permitted to submit them, to be considered with the bill.

Mr. McNARY. That is perfectly satisfactory.

The PRESIDING OFFICER. Without objection, the amendments will be received and printed and lie on the table.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HILL in the chair) laid before the Senate messages from the President of the United States, submitting sundry nominations and also withdrawing a nomination, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. ADAMS, from the Committee on Public Lands and Surveys, reported favorably the following nominations:

Patrick J. Keohane, of Arizona, to be register of the land office at Phoenix, Ariz. (reappointment);

William F. Jackson, of Oregon, to be register of the land office at The Dalles, Oreg. (reappointment);

Arthur J. Ewing, of Idaho, to be register of the land office at Coeur d'Alene, Idaho (reappointment);

Thomas F. Corbally, of Montana, to be register of the land office at Great Falls, Mont. (reappointment); and

Theodore Wanerus, of Wyoming, to be register of the land office at Buffalo, Wyo. (reappointment).

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state in their order the nominations on the Executive Calendar.

UNITED STATES COAST AND GEODETIC SURVEY

The legislative clerk read the nomination of Leo Otis Colbert, of Massachusetts, to be Director, United States Coast and Geodetic Survey, for a term of 4 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD OF THE UNITED STATES

The legislative clerk proceeded to read sundry nominations in the Coast Guard of the United States.

Mr. BYRNES. I ask that the Coast Guard nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

That concludes the calendar.

RECESS

The Senate resumed legislative session.

Mr. HAYDEN. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 38 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, April 6, 1938, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 5 (legislative day of January 5), 1938

DIPLOMATIC AND FOREIGN SERVICE

Spruille Braden, of New York, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Colombia.

REGISTERS OF THE LAND OFFICE

Paul A. Roach, of New Mexico, to be register of the land office at Las Cruces, N. Mex. Reappointment.

Lloyd T. Morgan, of Colorado, to be register of the land office at Pueblo, Colo. Reappointment.

PROMOTION IN THE NAVY
MARINE CORPS

Col. Russell B. Putnam, assistant paymaster, to be the Paymaster of the Marine Corps, with the rank of brigadier general, for a period of 4 years from the 1st day of May, 1938.

POSTMASTERS

ALABAMA

Samuel J. Sanders to be postmaster at Fayette, Ala., in place of S. J. Sanders. Incumbent's commission expired March 24, 1938.

James L. Day to be postmaster at Hartselle, Ala., in place of J. L. Day. Incumbent's commission expired February 1, 1938.

James R. Moody to be postmaster at Russellville, Ala., in place of J. R. Moody. Incumbent's commission expired March 29, 1938.

Roy G. Carpenter to be postmaster at Winfield, Ala., in place of R. G. Carpenter. Incumbent's commission expired March 29, 1938.

ARKANSAS

Norine C. Wilkerson to be postmaster at Newport, Ark., in place of N. C. Wilkerson. Incumbent's commission expired February 15, 1938.

CALIFORNIA

Ethel R. Costello to be postmaster at Acampo, Calif., in place of E. R. Costello. Incumbent's commission expired February 20, 1938.

Jay K. Battin to be postmaster at Angwin, Calif., in place of J. K. Battin. Incumbent's commission expired February 5, 1938.

Michael J. O'Rourke to be postmaster at Beverly Hills, Calif., in place of M. J. O'Rourke. Incumbent's commission expired March 20, 1938.

Walter A. Johnson to be postmaster at Bishop, Calif., in place of G. L. Vonderheide, removed.

Charles L. Pierce to be postmaster at Clarksburg, Calif., in place of C. L. Pierce. Incumbent's commission expired March 20, 1938.

William M. Welsh to be postmaster at Dunsmuir, Calif., in place of W. M. Welsh. Incumbent's commission expired April 4, 1938.

Bessie L. Rogers to be postmaster at Esparto, Calif., in place of B. L. Rogers. Incumbent's commission expired February 5, 1938.

Susan M. Maus to be postmaster at Fairfield, Calif., in place of S. M. Maus. Incumbent's commission expired March 20, 1938.

J. Edward Huston to be postmaster at Huntington Beach, Calif., in place of J. E. Huston. Incumbent's commission expired March 20, 1938.

L. Ramona Bristow to be postmaster at Knights Landing, Calif., in place of L. R. Bristow. Incumbent's commission expired March 20, 1938.

Bertha Hilbert to be postmaster at La Habra, Calif., in place of Bertha Hilbert. Incumbent's commission expired March 20, 1938.

James Anderson Drace to be postmaster at Linden, Calif., in place of J. A. Drace. Incumbent's commission expired February 20, 1938.

Lee Darneal to be postmaster at Los Gatos, Calif., in place of Lee Darneal. Incumbent's commission expired March 20, 1938.

Earl T. Whitaker to be postmaster at Moorpark, Calif., in place of E. T. Whitaker. Incumbent's commission expired March 20, 1938.

Rollie A. Petty to be postmaster at Mountain View, Calif., in place of R. A. Petty. Incumbent's commission expired March 20, 1938.

Reuel A. Bar to be postmaster at Quincy, Calif., in place of R. A. Bar. Incumbent's commission expired March 20, 1938.

Walter A. Hornbeck to be postmaster at Red Bluff, Calif., in place of W. A. Hornbeck. Incumbent's commission expired March 20, 1938.

Maude Dawson Shea to be postmaster at Redondo Beach, Calif., in place of M. D. Shea. Incumbent's commission expired March 20, 1938.

John H. Fairweather to be postmaster at Reedley, Calif., in place of J. H. Fairweather. Incumbent's commission expired March 20, 1938.

Nellie McGinn to be postmaster at Salida, Calif., in place of Nellie McGinn. Incumbent's commission expired April 4, 1938.

William H. McCarthy to be postmaster at San Francisco, Calif., in place of W. H. McCarthy. Incumbent's commission expired March 20, 1938.

John H. Kelley to be postmaster at San Mateo, Calif., in place of J. H. Kelley. Incumbent's commission expired March 20, 1938.

Leon L. Dwight to be postmaster at San Pedro, Calif., in place of L. L. Dwight. Incumbent's commission expired March 20, 1938.

John H. Fahey to be postmaster at Sunnyvale, Calif., in place of J. H. Fahey. Incumbent's commission expired March 20, 1938.

Elmer R. Winchell to be postmaster at Susanville, Calif., in place of E. R. Winchell. Incumbent's commission expired March 20, 1938.

Harry M. Talbot to be postmaster at Vacaville, Calif., in place of H. M. Talbot. Incumbent's commission expired March 20, 1938.

Lloyd L. Long to be postmaster at Veterans' Home, Calif., in place of L. L. Long. Incumbent's commission expired March 20, 1938.

Herbert P. Pritschke to be postmaster at Wasco, Calif., in place of H. P. Pritschke. Incumbent's commission expired March 20, 1938.

Frank A. Lauer to be postmaster at Westwood, Calif., in place of F. A. Lauer. Incumbent's commission expired March 20, 1938.

Edith I. Day to be postmaster at Woodlake, Calif., in place of E. I. Day. Incumbent's commission expired February 20, 1938.

COLORADO

William B. Sutley to be postmaster at Center, Colo., in place of W. B. Sutley. Incumbent's commission expired February 1, 1938.

Tulley N. Nelson to be postmaster at Empire, Colo. Office became Presidential July 1, 1937.

Michael J. Brennan to be postmaster at Erie, Colo., in place of M. J. Brennan. Incumbent's commission expired February 1, 1938.

Arthur J. Elmgreen to be postmaster at Evergreen, Colo., in place of A. J. Elmgreen. Incumbent's commission expired February 1, 1938.

Edna A. Kennedy to be postmaster at Peetz, Colo., in place of E. A. Kennedy. Incumbent's commission expired February 1, 1938.

Grace E. O'Neill to be postmaster at Platteville, Colo., in place of G. E. O'Neill. Incumbent's commission expired February 1, 1938.

James G. Evans to be postmaster at Wray, Colo., in place of J. G. Evans. Incumbent's commission expired February 1, 1938.

CONNECTICUT

William A. Hayes to be postmaster at Bristol, Conn., in place of W. A. Hayes. Incumbent's commission expired February 5, 1938.

Daniel J. Kelley to be postmaster at Deep River, Conn., in place of D. J. Kelley. Incumbent's commission expired March 14, 1938.

Julius Woodruff Johnson to be postmaster at Georgetown, Conn., in place of J. H. Berglund, resigned.

Charles Ernest Gray to be postmaster at North Stonington, Conn., in place of C. E. Gray. Incumbent's commission expired January 31, 1938.

Thomas P. Horan to be postmaster at South Norwalk, Conn., in place of T. P. Horan. Incumbent's commission expired February 5, 1938.

FLORIDA

Sam E. Harris to be postmaster at Key West, Fla., in place of S. E. Harris. Incumbent's commission expired April 4, 1938.

Dudley H. Morgan to be postmaster at River Junction, Fla., in place of D. H. Morgan. Incumbent's commission expired February 10, 1938.

GEORGIA

John G. Gruber to be postmaster at Alma, Ga., in place of J. G. Gruber. Incumbent's commission expired January 30, 1938.

Alexander S. Chamlee to be postmaster at Bartow, Ga., in place of A. S. Chamlee. Incumbent's commission expired March 7, 1938.

William T. Adkins to be postmaster at Edison, Ga., in place of W. T. Adkins. Incumbent's commission expired April 2, 1938.

Ernest L. Wilson to be postmaster at Leslie, Ga., in place of E. L. Wilson. Incumbent's commission expired February 28, 1938.

Aligene B. Howard to be postmaster at Ludowici, Ga., in place of A. B. Howard. Incumbent's commission expired January 30, 1938.

Joseph W. Murphy to be postmaster at Menlo, Ga., in place of J. W. Murphy. Incumbent's commission expired April 2, 1938.

C. Heard Tolbert to be postmaster at Omega, Ga., in place of C. H. Tolbert. Incumbent's commission expired April 2, 1938.

Carleen S. Bell to be postmaster at Trion, Ga., in place of C. S. Bell. Incumbent's commission expired April 2, 1938.

Charles H. Orr to be postmaster at Washington, Ga., in place of C. H. Orr. Incumbent's commission expired January 30, 1938.

IDAHO

Frederick J. Rodgers to be postmaster at Midvale, Idaho, in place of F. J. Rodgers. Incumbent's commission expired March 22, 1938.

ILLINOIS

Owen Kelly, to be postmaster at Farmington, Ill., in place of Owen Kelly. Incumbent's commission expired March 19, 1938.

Deane J. McAlister to be postmaster at Greenville, Ill., in place of D. J. McAlister. Incumbent's commission expired February 15, 1938.

John H. Priept to be postmaster at Mendon, Ill., in place of J. H. Priept. Incumbent's commission expired March 19, 1938.

Robert J. Blum to be postmaster at Nauvoo, Ill., in place of R. J. Blum. Incumbent's commission expired April 4, 1938.

Fred N. Mayer, Jr., to be postmaster at Virden, Ill., in place of F. N. Mayer, Jr. Incumbent's commission expired April 4, 1938.

Ira Dezouche to be postmaster at Wayne City, Ill., in place of Ira Dezouche. Incumbent's commission expired January 31, 1938.

INDIANA

Mary W. Lawrence to be postmaster at Earlham, Ind., in place of M. W. Lawrence. Incumbent's commission expired January 31, 1938.

William D. Stoner, to be postmaster at Millersburg, Ind. Office became Presidential July 1, 1937.

IOWA

Frederick W. Werner to be postmaster at Amana, Iowa, in place of F. W. Werner. Incumbent's commission expired February 15, 1938.

Ella McDonald to be postmaster at Ledyard, Iowa, in place of Ella McDonald. Incumbent's commission expired April 2, 1938.

Edward M. Bratton to be postmaster at Shellsburg, Iowa, in place of E. M. Bratton. Incumbent's commission expired February 10, 1938.

Cotton Etter to be postmaster at Sigourney, Iowa, in place of Cotton Etter. Incumbent's commission expired February 10, 1938.

Hilma L. Peterson to be postmaster at Stratford, Iowa, in place of H. L. Peterson. Incumbent's commission expired April 2, 1938.

John Batchelor to be postmaster at Thompson, Iowa, in place of John Batchelor. Incumbent's commission expired February 28, 1938.

Arthur O. Reinhardt to be postmaster at Van Horne, Iowa, in place of A. O. Reinhardt. Incumbent's commission expired February 10, 1938.

John S. Cullen to be postmaster at Whittemore, Iowa, in place of J. S. Cullen. Incumbent's commission expired March 14, 1938.

KANSAS

Samuel N. Nunemaker to be postmaster at Hesston, Kans., in place of S. N. Nunemaker. Incumbent's commission expired March 29, 1938.

KENTUCKY

Edward W. Cabbage to be postmaster at Clarkson, Ky., in place of J. E. Langley, deceased.

Rebecca B. Forsythe to be postmaster at Greenup, Ky., in place of R. B. Forsythe. Incumbent's commission expired January 30, 1938.

Dorothy Moore to be postmaster at Morgantown, Ky., in place of B. H. Moore, deceased.

James Purdon to be postmaster at Maysville, Ky., in place of James Purdon. Incumbent's commission expired January 30, 1938.

William Lester Tarter to be postmaster at Science Hill, Ky. Office became Presidential July 1, 1937.

Jennie S. May to be postmaster at Stone, Ky., in place of J. S. May. Incumbent's commission expired January 30, 1938.

LOUISIANA

Blanche V. Williams to be postmaster at Angola, La., in place of B. V. Williams. Incumbent's commission expired February 28, 1938.

Kate P. McDonnell to be postmaster at Pelican, La., in place of K. P. McDonnell. Incumbent's commission expired December 20, 1934.

MAINE

George H. Williams to be postmaster at Alfred, Maine, in place of G. H. Williams. Incumbent's commission expired January 30, 1938.

Floyd A. Smith to be postmaster at Caribou, Maine, in place of F. A. Smith. Incumbent's commission expired January 31, 1938.

Walter O. Dunton to be postmaster at Boothbay Harbor, Maine, in place of W. O. Dunton. Incumbent's commission expired January 30, 1938.

Helen C. Donahue to be postmaster at Portland, Maine, in place of H. C. Donahue. Incumbent's commission expired April 2, 1938.

Joseph M. Gerrish to be postmaster at Winter Harbor, Maine, in place of J. M. Gerrish. Incumbent's commission expired February 15, 1938.

MARYLAND

James G. Archer to be postmaster at Bel Air, Md., in place of J. G. Archer. Incumbent's commission expired February 20, 1938.

MASSACHUSETTS

John H. McDonald to be postmaster at Andover, Mass., in place of J. H. McDonald. Incumbent's commission expired January 30, 1938.

Hormisdas Boucher to be postmaster at Ludlow, Mass., in place of Hormisdas Boucher. Incumbent's commission expired March 20, 1938.

Mary B. H. Ransom to be postmaster at Mattapoisett, Mass., in place of M. B. H. Ransom. Incumbent's commission expired April 2, 1938.

Maurice J. Bresnahan to be postmaster at Medway, Mass., in place of M. J. Bresnahan. Incumbent's commission expired April 2, 1938.

Neil R. Mahoney to be postmaster at North Billerica, Mass., in place of N. R. Mahoney. Incumbent's commission expired March 20, 1938.

James E. Williams to be postmaster at North Dighton, Mass., in place of J. E. Williams. Incumbent's commission expired February 15, 1938.

Michael J. Walsh to be postmaster at North Reading, Mass., in place of M. J. Walsh. Incumbent's commission expired March 20, 1938.

Charles J. Delaney to be postmaster at Shelburne Falls, Mass., in place of C. J. Delaney. Incumbent's commission expired March 20, 1938.

John J. Easton to be postmaster at South Walpole, Mass., in place of J. J. Easton. Incumbent's commission expired April 2, 1938.

William F. Lawless to be postmaster at Stockbridge, Mass., in place of W. F. Lawless. Incumbent's commission expired March 20, 1938.

Richard F. Burke to be postmaster at Williamsburg, Mass., in place of R. F. Burke. Incumbent's commission expired April 2, 1938.

MICHIGAN

Edson Porter to be postmaster at Blissfield, Mich., in place of Edson Porter. Incumbent's commission expired January 30, 1938.

Robert E. Lee to be postmaster at Byron, Mich., in place of R. E. Lee. Incumbent's commission expired January 30, 1938.

Frank C. Jarvis to be postmaster at Grand Rapids, Mich., in place of F. C. Jarvis. Incumbent's commission expired March 29, 1938.

James O. McCarthy to be postmaster at Thompsonville, Mich., in place of J. O. McCarthy. Incumbent's commission expired March 14, 1938.

MISSISSIPPI

Margaret Henry to be postmaster at Anguilla, Miss., in place of Margaret Henry. Incumbent's commission expired January 30, 1938.

Will N. Guyton to be postmaster at Blue Mountain, Miss., in place of W. N. Guyton. Incumbent's commission expired January 30, 1938.

Carrie E. C. Fedric to be postmaster at Charleston, Miss., in place of C. E. C. Fedric. Incumbent's commission expired April 4, 1938.

John W. Woodward to be postmaster at Oxford, Miss., in place of J. W. Woodward. Incumbent's commission expired January 30, 1938.

R. Ben Linn to be postmaster at Pickens, Miss., in place of R. B. Linn. Incumbent's commission expired January 30, 1938.

Robert E. Gryder to be postmaster at Shannon, Miss., in place of R. E. Gryder. Incumbent's commission expired April 4, 1938.

Cecil D. Chadwick to be postmaster at Walnut Grove, Miss., in place of C. D. Chadwick. Incumbent's commission expired February 10, 1938.

MISSOURI

Leslie B. Kincaid to be postmaster at Braymer, Mo., in place of L. B. Kincaid. Incumbent's commission expired March 19, 1938.

Max Clodfelter to be postmaster at Dexter, Mo., in place of Max Clodfelter. Incumbent's commission expired March 19, 1938.

Thomas F. Herndon to be postmaster at Hume, Mo., in place of T. F. Herndon. Incumbent's commission expired April 2, 1938.

Willie D. Groom to be postmaster at Kearney, Mo., in place of W. D. Groom. Incumbent's commission expired April 2, 1938.

Louis N. Bowman to be postmaster at King City, Mo., in place of L. N. Bowman. Incumbent's commission expired March 19, 1938.

Charles E. Sears to be postmaster at Macon, Mo., in place of C. E. Sears. Incumbent's commission expired March 19, 1938.

Ruth Vandiver to be postmaster at Orrick, Mo., in place of Ruth Vandiver. Incumbent's commission expired April 2, 1938.

Rosa M. Hall to be postmaster at Parma, Mo., in place of R. M. Hall. Incumbent's commission expired April 2, 1938.

Leonard D. Dyer to be postmaster at Rushville, Mo., in place of L. D. Dyer. Incumbent's commission expired March 19, 1938.

William B. Maus to be postmaster at Schell City, Mo., in place of W. B. Maus. Incumbent's commission expired March 19, 1938.

MONTANA

Hugh H. Waldron to be postmaster at Froid, Mont., in place of H. H. Waldron. Incumbent's commission expired February 1, 1938.

Jean W. Albers to be postmaster at Redstone, Mont., in place of J. W. Albers. Incumbent's commission expired February 1, 1938.

Thelma F. Holst to be postmaster at Westby, Mont., in place of T. F. Holst. Incumbent's commission expired February 1, 1938.

NEBRASKA

George L. Jordan to be postmaster at Clarks, Nebr., in place of G. L. Jordan. Incumbent's commission expired March 22, 1938.

Richard H. Schwedhelm to be postmaster at Westpoint, Nebr., in place of R. H. Schwedhelm. Incumbent's commission expired March 8, 1938.

John Q. Kirkman to be postmaster at Wood Lake, Nebr., in place of J. Q. Kirkman. Incumbent's commission expired March 22, 1938.

NEW HAMPSHIRE

Sarah J. Moore to be postmaster at Alstead, N. H., in place of S. J. Moore. Incumbent's commission expired March 20, 1938.

Carrie B. Ware to be postmaster at Hancock, N. H., in place of C. B. Ware. Incumbent's commission expired April 2, 1938.

Charles Myers to be postmaster at Jaffrey, N. H., in place of Charles Myers. Incumbent's commission expired April 2, 1938.

Harriette H. Hinman to be postmaster at North Stratford, N. H., in place of H. H. Hinman. Incumbent's commission expired March 20, 1938.

NEW JERSEY

George M. Beaman to be postmaster at Keansburg, N. J., in place of G. M. Beaman. Incumbent's commission expired January 31, 1938.

NEW MEXICO

Richard W. Harper to be postmaster at Dulce, N. Mex. Office became Presidential July 1, 1937.

NORTH CAROLINA

Handy C. Allred to be postmaster at Alamance, N. C., in place of H. C. Allred. Incumbent's commission expired January 31, 1938.

Erastus B. Huffine to be postmaster at Elon College, N. C., in place of E. B. Huffine. Incumbent's commission expired January 31, 1938.

Nathan W. LeGrand to be postmaster at Hamlet, N. C., in place of N. W. LeGrand. Incumbent's commission expired January 31, 1938.

Hugh M. McArn to be postmaster at Laurinburg, N. C., in place of H. M. McArn. Incumbent's commission expired January 31, 1938.

N. Hunt Gwyn to be postmaster at Lenoir, N. C., in place of N. H. Gwyn. Incumbent's commission expired April 4, 1938.

James C. Reins to be postmaster at North Wilkesboro, N. C., in place of J. C. Reins. Incumbent's commission expired February 1, 1938.

Carl L. Williamson to be postmaster at Raleigh, N. C., in place of C. L. Williamson. Incumbent's commission expired January 31, 1938.

James H. Howell to be postmaster at Waynesville, N. C., in place of J. H. Howell. Incumbent's commission expired March 20, 1938.

OHIO

Michael J. Callaghan to be postmaster at Bellevue, Ohio, in place of M. J. Callaghan. Incumbent's commission expired February 15, 1938.

Samuel E. Tidd to be postmaster at Columbiana, Ohio, in place of S. E. Tidd. Incumbent's commission expired March 20, 1938.

Owen W. Gray to be postmaster at Convoy, Ohio, in place of O. W. Gray. Incumbent's commission expired March 14, 1938.

Fred A. Kenney to be postmaster at Delta, Ohio, in place of F. A. Kenney. Incumbent's commission expired January 30, 1938.

Ralph L. Jacobs to be postmaster at Gates Mills, Ohio, in place of R. L. Jacobs. Incumbent's commission expired March 14, 1938.

Helen Stoltz to be postmaster at Gettysburg, Ohio, in place of Helen Stoltz. Incumbent's commission expired February 15, 1938.

Olin B. Stahl to be postmaster at Jewett, Ohio, in place of O. B. Stahl. Incumbent's commission expired March 20, 1938.

Wallace F. Mock to be postmaster at Powhatan Point, Ohio, in place of W. F. Mock. Incumbent's commission expired March 20, 1938.

Michael F. Mulheran to be postmaster at Salineville, Ohio, in place of M. F. Mulheran. Incumbent's commission expired March 20, 1938.

William I. Dague to be postmaster at Wadsworth, Ohio, in place of W. I. Dague. Incumbent's commission expired February 15, 1938.

William E. Passmore to be postmaster at Washington Court House, Ohio, in place of W. E. Passmore. Incumbent's commission expired March 14, 1938.

Robert E. Jennings to be postmaster at West Milton, Ohio, in place of R. E. Jennings. Incumbent's commission expired February 15, 1938.

Randle B. Hickman to be postmaster at Wilberforce, Ohio, in place of R. B. Hickman. Incumbent's commission expired March 20, 1938.

Henry C. Stapf to be postmaster at Willard, Ohio, in place of H. C. Stapf. Incumbent's commission expired February 15, 1938.

William G. Hoffer to be postmaster at Willshire, Ohio, in place of W. G. Hoffer. Incumbent's commission expired March 20, 1938.

OKLAHOMA

Benjamin D. Barnett to be postmaster at Cement, Okla., in place of B. D. Barnett. Incumbent's commission expired April 2, 1938.

James W. Blye to be postmaster at Hennessey, Okla., in place of J. W. Blye. Incumbent's commission expired March 7, 1938.

Jackson Willis to be postmaster at Maysville, Okla., in place of Jackson Willis. Incumbent's commission expired March 7, 1938.

Roy McGhee to be postmaster at Miami, Okla., in place of Roy McGhee. Incumbent's commission expired April 4, 1938.

Jessie Shi to be postmaster at Stratford, Okla., in place of S. H. Freeman, removed.

George L. Watkins to be postmaster at Tulsa, Okla., in place of G. L. Watkins. Incumbent's commission expired April 2, 1938.

OREGON

Gardner T. Hockensmith to be postmaster at Albany, Oreg., in place of G. T. Hockensmith. Incumbent's commission expired March 20, 1938.

Robert O. Brinker to be postmaster at Freewater, Oreg., in place of A. R. Hodgen, removed.

George Larkin to be postmaster at Newberg, Oreg., in place of George Larkin. Incumbent's commission expired April 2, 1938.

Early Phillips to be postmaster at Scio, Oreg., in place of Early Phillips. Incumbent's commission expired January 30, 1938.

Frank H. Lughton to be postmaster at Seaside, Oreg., in place of F. H. Lughton. Incumbent's commission expired April 2, 1938.

PENNSYLVANIA

George E. Diehl to be postmaster at Chambersburg, Pa., in place of G. E. Diehl. Incumbent's commission expired March 22, 1938.

William P. Kohler to be postmaster at Glassport, Pa., in place of J. P. Stein, deceased.

Frank H. Black to be postmaster at Greensboro, Pa., in place of F. H. Black. Incumbent's commission expired February 20, 1938.

Rebecca Campbell to be postmaster at Midway, Pa., in place of Rebecca Campbell. Incumbent's commission expired February 2, 1938.

RHODE ISLAND

Edward F. Carroll to be postmaster at Providence, R. I., in place of E. F. Carroll. Incumbent's commission expires May 15, 1938.

SOUTH CAROLINA

George N. Burnett to be postmaster at Greenwood, S. C., in place of G. N. Burnett. Incumbent's commission expired February 1, 1938.

SOUTH DAKOTA

George L. Kemper to be postmaster at Aberdeen, S. Dak., in place of G. L. Kemper. Incumbent's commission expired March 22, 1938.

James R. Kohlman to be postmaster at Conde, S. Dak., in place of J. R. Kohlman. Incumbent's commission expired February 20, 1938.

Alfred E. Paine to be postmaster at Doland, S. Dak., in place of A. E. Paine. Incumbent's commission expired February 20, 1938.

Norbert F. King to be postmaster at Frankfort, St. Dak., in place of N. F. King. Incumbent's commission expired February 20, 1938.

Charles E. Stutenroth to be postmaster at Redfield, S. Dak., in place of C. E. Stutenroth. Incumbent's commission expired February 20, 1938.

John W. Hoven to be postmaster at Selby, S. Dak., in place of J. W. Hoven. Incumbent's commission expired March 8, 1938.

Helen L. Kieffer to be postmaster at White Lake, S. Dak., in place of H. L. Kieffer. Incumbent's commission expired March 22, 1938.

TENNESSEE

Roscoe T. Carroll to be postmaster at Estill Springs, Tenn., in place of R. T. Carroll. Incumbent's commission expired February 15, 1938.

William P. Stone to be postmaster at Lynchburg, Tenn., in place of W. P. Stone. Incumbent's commission expired January 31, 1938.

Alfred H. Gill to be postmaster at Silver Point, Tenn., in place of A. H. Gill. Incumbent's commission expired January 31, 1938.

Neil E. Coleman to be postmaster at Smyrna, Tenn., in place of N. E. Coleman. Incumbent's commission expired February 15, 1938.

Clarence E. Kilgore to be postmaster at Tracy City, Tenn., in place of C. E. Kilgore. Incumbent's commission expired April 2, 1938.

TEXAS

James O. Allen to be postmaster at Arp, Tex., in place of J. O. Allen. Incumbent's commission expired February 10, 1938.

Prentice A. Hayes to be postmaster at Barstow, Tex., in place of P. A. Hayes. Incumbent's commission expired February 10, 1938.

Marvin A. Anderson to be postmaster at Cleveland, Tex., in place of M. A. Anderson. Incumbent's commission expired February 22, 1938.

Frederick M. Faust to be postmaster at Comfort, Tex., in place of F. M. Faust. Incumbent's commission expired April 4, 1938.

Albert A. Allison to be postmaster at Corsicana, Tex., in place of A. A. Allison. Incumbent's commission expired March 19, 1938.

Jack B. Kerr to be postmaster at Cotulla, Tex., in place of J. B. Kerr. Incumbent's commission expired March 20, 1938.

Oscar W. Koym to be postmaster at East Bernard, Tex., in place of O. W. Koym. Incumbent's commission expired April 4, 1938.

Warren C. Fargason to be postmaster at Hermleigh, Tex., in place of W. C. Fargason. Incumbent's commission expired April 4, 1938.

Lucie Hill to be postmaster at Hull, Tex., in place of Lucie Hill. Incumbent's commission expired April 4, 1938.

Edwin D. Holchak to be postmaster at Kenedy, Tex., in place of E. D. Holchak. Incumbent's commission expired February 10, 1938.

Carl W. Amberg to be postmaster at La Grange, Tex., in place of C. W. Amberg. Incumbent's commission expired March 19, 1938.

Willie L. Nelson to be postmaster at Mount Vernon, Tex., in place of W. L. Nelson. Incumbent's commission expired February 10, 1938.

Mae Whitley to be postmaster at New Waverly, Tex., in place of Mae Whitley. Incumbent's commission expired February 22, 1938.

Mabel B. McConnico to be postmaster at Port Lavaca, Tex., in place of M. B. McConnico. Incumbent's commission expired April 4, 1938.

Mills Awbrey to be postmaster at Presidio, Tex., in place of Mills Awbrey. Incumbent's commission expired March 20, 1938.

William P. Lawrence to be postmaster at Quitman, Tex., in place of W. P. Lawrence. Incumbent's commission expired February 10, 1938.

Theodore M. Herring to be postmaster at San Angelo, Tex., in place of T. M. Herring. Incumbent's commission expired February 15, 1938.

Clyde Griffith to be postmaster at Sanderson, Tex., in place of Clyde Griffith. Incumbent's commission expired April 4, 1938.

Edgar F. Bonorden to be postmaster at Sinton, Tex., in place of E. F. Bonorden. Incumbent's commission expired February 10, 1938.

John L. Brunner to be postmaster at Taylor, Tex., in place of J. L. Brunner. Incumbent's commission expired February 10, 1938.

VERMONT

Margaret M. Flower to be postmaster at Woodstock, Vt., in place of A. D. Flower, deceased.

VIRGINIA

Otho W. Miller to be postmaster at Bridgewater, Va., in place of O. W. Miller. Incumbent's commission expired March 22, 1938.

Alexander Lambert Martin to be postmaster at Catawba Sanatorium, Va., in place of A. L. Martin. Incumbent's commission expired April 4, 1938.

John S. White to be postmaster at Charlottesville, Va., in place of J. S. White. Incumbent's commission expired February 10, 1938.

Kenneth H. Woody to be postmaster at Crewe, Va., in place of K. H. Woody. Incumbent's commission expired April 4, 1938.

Eddie L. Southard to be postmaster at Stanardsville, Va., in place of E. L. Southard. Incumbent's commission expired March 14, 1938.

Carroll C. Chowning to be postmaster at Urbanna, Va., in place of C. C. Chowning. Incumbent's commission expired April 4, 1938.

R. Tyler Bland to be postmaster at West Point, Va., in place of R. T. Bland. Incumbent's commission expired February 10, 1938.

WASHINGTON

James E. Clark to be postmaster at Ryderwood, Wash., in place of J. E. Clark. Incumbent's commission expired January 30, 1938.

John Maloney, Jr., to be postmaster at Skykomish, Wash., in place of John Maloney, Jr. Incumbent's commission expired January 30, 1938.

WEST VIRGINIA

S. Cleveland Underwood to be postmaster at Bethany, W. Va., in place of S. C. Underwood. Incumbent's commission expired January 30, 1938.

Katherine C. Brannen to be postmaster at Cabin Creek, W. Va., in place of K. C. Brannen. Incumbent's commission expired February 28, 1938.

James H. Moyer to be postmaster at Cass, W. Va., in place of J. H. Moyer. Incumbent's commission expired February 28, 1938.

Virgil Y. Given to be postmaster at Clendenin, W. Va., in place of V. Y. Given. Incumbent's commission expired February 28, 1938.

Arthur J. Duncan to be postmaster at Fayetteville, W. Va., in place of A. J. Duncan. Incumbent's commission expired February 28, 1938.

George O. Sinsel to be postmaster at Flemington, W. Va., in place of G. O. Sinsel. Incumbent's commission expired February 28, 1938.

John J. Walker to be postmaster at Follansbee, W. Va., in place of J. J. Walker. Incumbent's commission expired January 30, 1938.

William O. Umstead, Jr., to be postmaster at Grantsville, W. Va., in place of W. O. Umstead, Jr. Incumbent's commission expired March 15, 1938.

Thomas T. Bambrick to be postmaster at Hollidays Cove, W. Va., in place of T. T. Bambrick. Incumbent's commission expired January 30, 1938.

Justus O. Eakin to be postmaster at New Martinsville, W. Va., in place of J. O. Eakin. Incumbent's commission expired January 30, 1938.

Mack Kiger to be postmaster at Paden City, W. Va., in place of Mack Kiger. Incumbent's commission expired January 30, 1938.

Vesta Lee Connell to be postmaster at Pennsboro, W. Va., in place of V. L. Connell. Incumbent's commission expired February 20, 1938.

Wilbur S. Moore to be postmaster at Pine Grove, W. Va., in place of W. S. Moore. Incumbent's commission expired January 30, 1938.

Ben Gillespie to be postmaster at Sutton, W. Va., in place of Ben Gillespie. Incumbent's commission expired February 20, 1938.

Joseph V. Emig to be postmaster at Wellsburg, W. Va., in place of J. V. Emig. Incumbent's commission expired January 31, 1938.

William L. Brice to be postmaster at Wheeling, W. Va., in place of W. L. Brice. Incumbent's commission expired January 30, 1938.

WISCONSIN

Helen A. Tuttle to be postmaster at Balsam Lake, Wis., in place of H. A. Tuttle. Incumbent's commission expired February 20, 1938.

Perlee W. Dickey to be postmaster at Black River Falls, Wis., in place of P. W. Dickey. Incumbent's commission expired February 10, 1938.

Joseph O. Goff to be postmaster at Bristol, Wis., in place of J. O. Goff. Incumbent's commission expired February 20, 1938.

Sheldon S. Chandler to be postmaster at Brooklyn, Wis., in place of S. S. Chandler. Incumbent's commission expired March 7, 1938.

George J. Armbruster to be postmaster at Cedarburg, Wis., in place of G. J. Armbruster. Incumbent's commission expired February 10, 1938.

Will Riley to be postmaster at Darlington, Wis., in place of Will Riley. Incumbent's commission expired January 30, 1938.

Frank N. Scherer to be postmaster at Kohler, Wis., in place of F. N. Scherer. Incumbent's commission expired March 22, 1938.

Cora J. Sorenson to be postmaster at Mount Horeb, Wis., in place of C. J. Sorenson. Incumbent's commission expired March 22, 1938.

Louis W. Kurth to be postmaster at Neillsville, Wis., in place of L. W. Kurth. Incumbent's commission expired January 30, 1938.

Hilary T. Kariz to be postmaster at Norwalk, Wis., in place of H. T. Kariz. Incumbent's commission expired January 30, 1938.

Edmund J. Piechowski to be postmaster at Redgranite, Wis., in place of E. J. Piechowski. Incumbent's commission expired January 30, 1938.

Joseph P. Kelly to be postmaster at Richland Center, Wis., in place of J. P. Kelly. Incumbent's commission expired February 10, 1938.

Miles Colligan to be postmaster at Wautoma, Wis., in place of Miles Colligan. Incumbent's commission expired March 22, 1938.

WYOMING

Edward N. Greff to be postmaster at Chugwater, Wyo., in place of E. N. Greff. Incumbent's commission expired February 1, 1938.

Ernest A. Littleton to be postmaster at Gillette, Wyo., in place of E. A. Littleton. Incumbent's commission expired February 2, 1938.

Lillian M. Blackwell to be postmaster at Shoshoni, Wyo., in place of L. M. Blackwell. Incumbent's commission expired February 1, 1938.

CONFIRMATIONS

Executive nominations confirmed by the Senate, April 5 (legislative day of January 5), 1938

FIRST ASSISTANT SECRETARY OF THE INTERIOR

Ebert K. Burlew to be First Assistant Secretary of the Interior.

UNITED STATES COAST AND GEODETIC SURVEY

Leo Otis Colbert to be Director, United States Coast and Geodetic Survey, for a term of 4 years.

COAST GUARD OF THE UNITED STATES

TO BE CHIEF BOATSWAINS

James M. Vincent	Lance J. Kirstine
Arthur H. Hylton	Benton L. Bassham
Howard A. White	Charles E. Swanson
George H. Jacobsen	Ray E. Parker
Martin Christensen	Francis S. Garretson
Johan A. Johanson	Stacy Y. Hammond
William C. Gill	Addison P. Lewis
John H. Davies	John F. Ryan
Augustus F. Pittman	Albert Van De Venter
Thomas G. Woolard	Leo P. Toolin

Harald O. Nielsen
Theodore F. Stair
Philip N. Shannon
Albert J. Brown
Eugene Kiernan
Ralph H. Leek
Louis O. Engell
Michael J. Bruce
Rudolf A. Anderson
Norman H. Church
Alfred W. Powell
Charles T. Cowan
Samuel D. La Roue
James M. Barrett
Frank Paul
Ernest A. Simpson
Attilio E. Del Pra
Almond L. Cunningham
Fred P. Stone
Gerret B. Lok
Malvern L. Hudgins

TO BE CHIEF BOATSWAIN (L)

Herman Winbeck	Thomas T. Moore
Freddie G. Gillikin	Harry W. Steele
Thomas J. Barnes	Maurice G. McCune
John W. Hudson	Ira B. Norton
Hubert B. Tuttle	Mason B. McCune
Everett J. Clemons	Fred D. Straubel
Thomas E. Deegan	Robert Anderson
Charles M. Berry	Hilman J. Persson
Otto W. Fricke	Truxton E. Midgett
Everett M. Mills	George H. Meekins
Henry N. Holmes	Edgar F. Sanborn
David M. Small	Wilfred Pantzer
John T. Dukes	Allen E. Holst
Daniel Magnussen	Francis E. Barnett
George B. Nickerson	Bryan Spencer
John J. Daly	Edwin B. York
David A. Furst	Isaac L. Hammond
Emanuel F. Gracie	Harry E. Johnson
Fred C. Sollman	Charlie O. Gray
Carroll A. Osborne	Henry R. Rogers
Willie H. Lewark	Harry M. Derrickson
Bernice R. Ballance	John N. Buckley
William H. Barnett	Garwood J. Thomas
Alvin H. Wright	Joseph G. Brown
Charles A. Mister	Garner J. Churchill

TO BE CHIEF GUNNERS

Frank W. Sarnow	Raymond J. Hegarty
Chester J. Valdrow	Charles N. Hubbard
Edwin T. Piner	Francis A. Prince
Lawrence J. Shea	Ellis F. Gradin
John H. Cumalat	Herbert S. Harris

TO BE CHIEF RADIO ELECTRICIANS

Robert W. Finley	Irl V. Beall
Frank W. Wortman	Marion G. Shrode
Arthur P. Arlington	Henry M. Anthony
Earl S. Burns	Cloyd C. Lantz
Dock G. Clementson	Joseph E. Coker
George M. Gallagher	John Brown
Joseph P. Guy	Paul M. Wakeman
Oiva M. Helgren	Merl H. Dunbar

TO BE CHIEF MACHINISTS

Zina R. Shoen	Arvid E. Wikander
Oscar Salter	Gabriel Dobo, Jr.
William L. LaRue	Thomas E. McCready
Anderson L. McGee	Charles P. Moffett
Carlton V. Legg	Emil E. Stienback
John N. C. Hunt	Gustave W. Pearson
Alfred J. K. Wallace	Walter A. Reynolds
Wallace G. Dagnin	George Karl
George E. Alston	Albert Kenney
Richard E. Hale	Clyde D. Goodwin

Frank D. Crooks
David Parker
Walter Robbins
Lewis L. Whittemore
James B. Macy
Frank McDonald
Rolfe D. Hallencrutz
William McCauley, Jr.
Joseph J. DeCarlo
Walter Pfeiffer
Joseph R. Fredette

Howard C. Watts
Harry A. Oest
Albert C. Arnold
James A. Haynes
Sidney A. Usher
George A. Painter
Axel L. Nordstrand
Eugene A. Guenet
Walter G. Davis
Hugh D. Olmstead
Charles H. Harris

TO BE CHIEF ELECTRICIANS

Frank R. Pitt
Claiborne M. Talley
Harold B. Doten

Joseph R. Mansfield
Herbert L. Scales
William A. Ronning

TO BE CHIEF CARPENTERS

Nestor Brunila
William O. Weaver
William L. Dean

William Hillenius
Alexander H. Lansing
George F. Erwin

TO BE CHIEF PAY CLERKS

Edson E. Miller
William W. McKeller
Michael J. Morgan
Paul E. Clement
Leo T. Robbins
Ira L. Peck
James Morrison
Oliver F. McCloy
Paul L. Sullivan
David L. Brown
David B. Sollenberger
Lester L. Louis
Thomas P. Cherberg
Gustaf A. Nordling
Everett E. Jackson
Floyd B. Cottrell
Ralph J. Calvert
Meyer Robbins
Alexander Smith
Russell A. Carroll

Paul N. Wright, Jr.
Francis P. Bergmeister
Walker McM. Stephens
Andrew E. Zanetti
William K. Kehoe
William H. Carroll
Arnot Groves
Cecil C. Humphreys
James Blake
Lewis Rice
Virgil L. McLean
James W. Davis
Clarence E. Bogren
Cartie L. Herndon
Elmer O. Hannaford
Jacob Levin
Elliott F. Lowrie
Henry E. Solomon
Carl W. Warmker

TO BE CHIEF PHARMACISTS

Max H. Lanke
David G. Higgins

WITHDRAWAL

*Executive nomination withdrawn from the Senate April 5
(legislative day of January 5), 1938*

POSTMASTER

WISCONSIN

John Heindl to be postmaster at Barton, in the State of Wisconsin.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 5, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, the King Eternal, bend low and break the bread of life unto us. Thou who delightest in mercy, league us with the kingdom of righteousness and give us the spirit the Christ bestows. May we take hold of the ultimate realities of life and not yield to the merciless winds of fate and chance. We pray Thee, blessed Lord, enable us to keep our trust with Thee, to strive and to seek the highway that leads to peace and contentment. We beseech Thee that we may have borne in upon us the unrealized aspirations of faith and a hope that maketh not ashamed. Heavenly Father, may all our powers, motives, and ambitions be con-

secrated at the altar of our Republic. Oh, bare all purposes and let the spirit of the divine One pour nourishing help into our souls. Cleanse us with the streams of forgiving love and brotherhood, and Thine shall be the praise in the name of Him who loved us to the end. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On April 2, 1938:

H. R. 9100. An act limiting the duties of the Chief Clerk and Chief Inspector of the Health Department of the District of Columbia.

On April 4, 1938:

H. R. 6668. An act for the relief of Robert Landeau, a minor;

H. R. 6993. An act for the relief of L. H. Dicke;

H. R. 7266. An act authorizing the State of Rhode Island, acting by and through the Jamestown Bridge Commission as an agency of the State, to construct, maintain, and operate a toll bridge across the west passage of Narragansett Bay between the towns of Jamestown and North Kingstown;

H. R. 8409. An act authorizing the State Highway Departments of North Dakota and Minnesota and the Boards of County Commissioners of Traill County, N. Dak., and Norman County, Minn., to construct, maintain, and operate a free highway bridge across the Red River of the North between Caledonia, N. Dak., and Shelly, Minn.;

H. R. 8460. An act to authorize the city of Vancouver, Wash., to construct and maintain a historical memorial on the Vancouver Barracks Military Reservation, Wash.;

H. R. 8524. An act authorizing the completion of the existing project for the protection of the sea wall at Galveston Harbor, Tex.;

H. R. 8623. An act authorizing the State Highway Departments of North Dakota and Minnesota and the Boards of County Commissioners of Traill County, N. Dak., and Polk County, Minn., to construct, maintain, and operate a free highway bridge across the Red River of the North westerly of Nielsville, Minn.;

H. R. 8826. An act to amend section 35 of the Criminal Code, as amended (U. S. C., title 18, sec. 82), relating to purloining, stealing, or injuring property of the United States; and

H. R. 9181. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1939, and for other purposes.

T. V. A. INVESTIGATION

The SPEAKER. The Chair desires to make a statement at this juncture.

Pursuant to the provisions of Public Resolution 83, Seventy-fifth Congress, the Chair appoints as members of the Special Joint Congressional Committee to Investigate the Tennessee Valley Authority the following Members of the House of Representatives: Mr. MEAD, of New York; Mr. DRIVER, of Arkansas; Mr. THOMASON of Texas; Mr. JENKINS of Ohio; and Mr. WOLVERTON, of New Jersey.

PERMISSION TO ADDRESS THE HOUSE

Mr. TARVER. Mr. Speaker, I ask unanimous consent to address the House, and in connection therewith to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Speaker, in view of the great bitterness which has developed in this debate, and the tremendous

propaganda activities which have sprung up on both sides, it is not to be expected that the House will be largely influenced by arguments at this stage of the consideration of the reorganization bill. It is for that reason that I voted on last Friday to close debate, and I certainly do not feel that anything of benefit has been accomplished by the rehashing of old arguments, developed in the Senate for weeks, which has occurred since that time.

I owe it, however, to my constituents and it is necessary to my own self-respect that I state frankly and openly the reasons which have brought about the conclusions that I have reached on this measure. They may not appeal to anybody else, but they have controlled my judgment, and in voting on bills affecting the welfare of the American people I use such judgment as I have as to their best interests, believing that to be my sworn duty. I have the highest respect for the President of the United States. I believe it is my duty to cooperate with him in the tremendous task in which he is engaged. I do not believe that cooperation should go to the extent of causing me to surrender my conscientious convictions, and I do not believe that he has or would have, any respect for a Member of Congress who has done or may do that, in a supine effort to win the President's favor.

The provisions of this bill about reorganization do not alarm me. Similar delegations of authority have occurred in the past, even under a Republican administration, with no direful results. I doubt if any very beneficial results were attained, but certainly no harm resulted. If the President feels that with the authority proposed for him in the reorganization of executive departments, he can simplify the machinery of government which all of us know is too complicated, I am certainly willing for him to try.

I have not lost confidence in the President. I do not fear any dictatorship under our system of government. I am willing to trust the President about those things which come under his jurisdiction in the executive branch of the Government. I am not willing to yield to any man, even though he may be in all respects highly conscientious and very able, the duty of forming the conclusions of my mind and heart upon which my votes as a Member of Congress must be based.

While I do not approve the features of the bill relating to the General Accounting Office and shall vote to strike them out, and shall also support some other amendments, there is one thing in this bill which, if it remains in, will force me to vote against it. That is the provision establishing a new governmental department to be known as the department of public welfare, and of which it has been frequently stated, and apparently upon good authority, Hon. Harry L. Hopkins is to be secretary. If this is a bill to curtail and simplify governmental machinery, the creation of a new department with its thousands of new employees and the numerous bureaus and divisions that will spring up inside it is not in harmony with the purposes of the bill. If its purpose is to effect economies, setting up a new department with the many more millions that we all know it will cost is contrary to that purpose. I believe in economy. I have opposed more Government spending in the last 5 years than almost any other Member of this body. I feel that the necessity for economy in government is more imperative now than at any time in our history; and I cannot vote to expand rather than curtail Government spending under these circumstances.

Further, I know that the man who it is said will be secretary of this new department has frequently stated and has testified before congressional committees that this Government must continue to carry permanently a relief burden such as he is now administering; and that this bill provides that his department shall have jurisdiction of this character. I regard as the only hope for betterment of conditions in our country that at an early date it may be possible for our Government to rid itself of this relief load, amounting to billions of dollars annually. I find in the setting up of this department, with this man at the head, evidence of a purpose to permanently fasten this relief burden on the National Government. To my mind that is unthinkable; to my

mind, to acknowledge the necessity for such a policy as a matter of permanent government is not only to discount all recovery claims which have been made but to darken the horizon of our national hope for better times.

I observe also that this man and this new department in the original print of the bill are to be given jurisdiction over education. I do not hesitate to say that so far as I am concerned I shall never vote to give him authority, so far as Federal educational appropriations are concerned, over the education of the boys and girls of this country. I know it is now proposed to strike out the reference to education as within the authority of this new department; but I also know that when you give authority in the rest of the bill for the President to transfer functions and bureaus from one department to another there is not anything to prevent the passage of an Executive order the day this bill is signed placing the educational activities of this Government in the hands of the new department which it is said Mr. Hopkins will head. So far as I am concerned I shall not make that possible by my vote. If the proposed amendment goes so far as to clearly prohibit the exercise by this new department of authority over educational matters, that, of course, would meet this particular objection.

I have been frank and I have been concise. I do not wish to make a long speech under existing circumstances. I am taking a course which, whether it is politically wise or expedient or not, satisfies my own conscience, and which I, of course, hope may satisfy those whose humble representative I have the honor to be.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT

Mr. PIERCE. Mr. Speaker, I call up the bill H. R. 7836, to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such are applicable, with Senate amendment thereto, and ask unanimous consent to concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. SNELL. Mr. Speaker, reserving the right to object, as I understand this amendment it simply limits the whole proceeding for 2 years instead of making it perpetual?

Mr. PIERCE. That is all there is to it.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 1, after line 8, insert:

"Sec. 3. No order issued pursuant to section 8c of the Agricultural Adjustment Act, as amended, shall be applicable to hops except during the two crop years next succeeding the date of enactment of this act."

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address which I recently made on the subject of our foreign policy.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LUECKE of Michigan asked and was given permission to extend his own remarks in the RECORD.

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a statement I made before the reciprocity committee.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein

a brief explanation of the pending reorganization bill, as well as an editorial on the subject.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SNELL. Mr. Speaker, I desire to call the attention of the Members of the House to a telegram I received this morning from New York City, reading as follows:

I am a Democrat and have vigorously supported the President, not only personally but in advertising throughout the Nation at various times, and I am wiring you personally to register my protest against the passage of the reorganization bill now pending in the House.

The bill in itself may be all right and the President is unquestionably sincere when he says he has no desire for dictatorship, but the country is not in a mood to receive such a bill under present economic conditions. No organization of any kind has suggested that I send this wire and it is purely a voluntary step on my part. As first vice president of George S. May, Inc., which company has 20 offices throughout the United States and several hundred employees engaged in reorganizing businesses, I urge that you vote "no" on this bill when it comes up for final passage.

D. T. STERLING,
George S. May, Inc.

Mr. Speaker, one of the strongest arguments against this bill is that the people are in no mood to receive it at the present time.

I also quote the following telegram from Shafter, Minn.:

Believe it or not, when administration leaders and their Charlie McCarthys misunderstand the flooding into Washington of personal opinions in opposition to the President's reorganization bill by terming such letters and telegrams organized insidious propaganda and Ickes says over the radio that too much crying of "wolf" is apt to bring a dictatorship to this country, it's high time the American people demand removal of such un-American authors and intensify their opposition to the reorganization bill, especially in view of the way the administration is lobbying by promised support or withholding of it in elections next November and bartering patronage for helpful votes which is far more insidious propaganda than American citizens using their constitutional rights of free speech. We Americans resent such indecent childish attempts to choke off honest opposition and ask all Congressmen to vote against the President's reorganization bill and refuse all concessions loaded with political trickery and especially until Comptroller General's office has been restored to bill. If a bill becomes law by an honest nonpolitical pressure, judgment of Congress, or demand of American people, they accept it gracefully, but if it is passed by administration lobbying and political pressure it creates despair and deep unrest among the people.

L. K. WATROUS.

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include therein this entire telegram and one more telegram.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

GOVERNMENT REORGANIZATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, in the Boston Herald of Saturday, April 2, and in the press generally throughout the United States, there appeared a news item regarding a telegram sent by His Excellency, Archbishop Edward Mooney, of the Detroit diocese, and chairman of the National Catholic Welfare Conference, to a Congressman who was unnamed, in response to a telegram the unnamed Congressman had sent to him. The news item states that His Excellency, Archbishop Mooney telegraphed the Congressman, whose name he withheld, that—

I see nothing in the bill to expand present functions of Federal educational agencies and therefore to arouse fears in regard to Catholic interests.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to address the House for one-half minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Virginia.

There was no objection.

Mr. ROBERTSON. Mr. Speaker, tonight at 10 o'clock the gentleman from New York [Mr. O'CONNOR] will discuss the reorganization bill over station WMAL and a national hook-up.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker, for the past 2 weeks I have most earnestly sought one good reason for the passage of the reorganization bill. So far I have failed. The sponsors of the bill have never contended that its passage would bring economy in Government. Until the gentleman from Virginia [Mr. WOODRUM] extended his remarks in the RECORD yesterday, few of us believed that it would increase the cost of Government. Quoting from the remarks of Mr. WOODRUM:

In my judgment, the creation of this department [of public welfare] will increase our financial burdens a billion dollars a year, and it may easily be two or three times that amount. I cannot but feel that it is a grave error, and that it will be a costly experiment.

Those are the words of the gentleman from Virginia [Mr. WOODRUM]. One who has stood solidly behind the President. One who in the opinions of most of us on both sides of the aisle is as well versed on governmental Departments as anyone in either House. One who has for many years studied this type of legislation.

I find many of the majority party, who have always stood for economy in Government, urging the passage of this measure. Does it mean that these gentlemen who have always stood for economy have changed and they now want to saddle the taxpayers with two or three billion dollars additional for governmental expenses? Or do these past watchdogs of the Treasury contend that Mr. WOODRUM is wrong? I think we are entitled to an answer.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, it is the intention as soon as the Private Calendar is called to take up the further consideration of the reorganization bill. I am going to object to anybody else at this time getting time to speak on the reorganization bill.

MESSAGE FROM THE PRESIDENT

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Military Affairs and ordered printed.

To the Congress of the United States of America:

I transmit herewith a report by the Secretary of State recommending the enactment of legislation for the purposes described therein.

The recommendations of the Secretary of State have my approval and I request the enactment of legislation for the purposes indicated.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, April 5, 1938.

PRIVATE CALENDAR

The SPEAKER. Under the rules today is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

VICTOR ENGSTRAND

The Clerk called the first individual bill on the Private Calendar, H. R. 5623, for the relief of Victor Engstrand, father of Darwin Engstrand, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Victor Engstrand, father of Darwin Engstrand, a minor, the sum of \$3,038.30, in full settlement of all claims against the Government of the United States for personal injuries suffered by the said Darwin Engstrand, on December 21, 1933, as a result of burning operations which were under the direction and supervision of Federal employees: *Provided,* That no part of the amount appropriated in this act is in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", strike out "Victor Engstrand, father," and insert "the legal guardian."

Line 6, after the word "minor", insert "of Franconia, Minn."

Line 7, strike out the figures "\$3,038.30" and insert "\$3,065.42."

Line 10, after "1933", strike out the remainder of line 10 and all of line 11.

Page 2, line 1, strike out "supervision of Federal employees" and insert "when he was severely burned by a fire left by employees of the Civil Works Administration, adjoining a highway in Franconia Township, Chisago County, Minn."

Amend the title.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Darwin Engstrand, a minor."

SHELBA JENNINGS

The Clerk called the next bill, H. R. 7500, for the relief of Shelba Jennings.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Shelba Jennings, of Pendleton, Oreg., the sum of \$263.38 in full and final settlement of any and all claims against the Government for loss of his personally owned tools supplied by him for the use of himself and others in the Frog Heaven Civilian Conservation Corps camp in the State of Oregon, the tools having been destroyed in burning of the blacksmith and repair shop in the afternoon of August 9, 1938, resulting in the total destruction of his tool kit.

With the following committee amendment:

Page 1, line 12, after "August 9", strike out "1933, resulting in", and on page 2 in line 1 strike out "the total destruction of his tool kit" and insert the following: "1933: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AL D. ROMINE AND ANN ROMINE

The Clerk called the next bill, H. R. 7639, for the relief of Al D. Romine and Ann Romine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Al D. Romine and Ann Romine, of Camas, Wash., in full settlement against the Government, the sum of \$5,000 for medical expenses and personal injuries sustained by said Al D. Romine and Ann Romine when the automobile in which they were riding June 3, 1936, was struck by a United States Forest Service truck: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall

be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With following committee amendments:

Page 1, line 6, after the word "Washington", strike out the remainder of line 6, all of lines 7 and 8, and the words "and Ann Romine" in line 9, and insert "jointly, the sum of \$5,000, in full satisfaction of all claims against the United States for personal injuries and expenses resulting therefrom, suffered."

Page 2, line 1, after the word "truck", insert "on the Evergreen Highway near Ellsworth, Wash."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES D. LARRY, SR.

The Clerk called the next bill, H. R. 8376, for the relief of James D. Larry, Sr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of James D. Larry, Sr., postmaster at Melrose Park, Ill., with the sum of \$13,220.06, representing the amount of public funds and property loss in the burglary of the post office at Melrose Park, Ill., on December 20, 1935, such loss having resulted from no fault or negligence on the part of said postmaster, as determined by the Postmaster General under a provision in title 39, United States Code, section 49.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN DISBURSING OFFICERS OF THE ARMY

The Clerk called the next bill, H. R. 9198, for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Capt. John M. Connor (deceased), Finance Department, \$130; Maj. Charles F. Eddy (deceased), Finance Department, \$26.32; Maj. Eugene M. Foster, Finance Department, \$30; Maj. O. W. Gralund, Finance Department, \$30; Capt. James B. Haley, Finance Department, \$106.40; Lieut. James R. Manees, Finance Department, \$36; Lieut. Col. Emmett C. Morton, Finance Department, \$15; Capt. Everett F. Rea, Finance Department, \$9; Maj. Bickford E. Sawyer, Finance Department, \$200.85; Capt. Leighton N. Smith, Finance Department, \$30; Maj. John P. Tillman, Finance Department, \$90; and Maj. Hugh Whitt, Finance Department, \$44.87, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, who are no longer enrolled in that corps, and which amounts have been disallowed by the Comptroller General of the United States: *Provided,* That no part of the amounts so credited shall be later charged against any individual other than the various payees.

Sec. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Capt. John F. Connell, Finance Department, the sum of \$9.56, public funds for which he is accountable and which were paid by him to the Central Baking Co. for processing taxes, and which amount has been disallowed by the Comptroller General of the United States: *Provided,* That no part of this amount shall be charged against any person other than the payee.

Sec. 3. That payments heretofore made to reimburse officers of the Army for amounts paid by them to the Panama Canal, incident to their occupancy or quarters under the jurisdiction of the Panama Canal, and belonging to the United States, are hereby ratified and validated, and the Comptroller General of the United States is hereby directed to allow credit in the accounts of Army disbursing officers for and on account of all such payments: *Provided,* That any amounts collected from any person on account of payments which are herein validated, and any amount paid to the Panama Canal by any officer of the Army incident to his occupancy

of quarters under the jurisdiction of the Panama Canal, which was in excess of the amount paid to such officer as rental allowance, shall, to the extent of such excess, be refunded to such persons upon presentation of a claim therefor to the Comptroller General.

Sec. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. Walter D. Dabney, Finance Department, the sum of \$82.92, public money for which he is accountable and which has been disallowed by the Comptroller General of the United States on account of payments made to an enlisted man (deceased) of the Army for commutation of quarters for the soldier's dependents while the soldier was on duty on an Army transport.

Sec. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lt. Col. Clarence B. Lindner (Coast Artillery Corps), Finance Department, the sum of \$1,729.26, public funds for which he is accountable and which were stolen from the office safe of his agent officer at Fort H. G. Wright, N. Y., by a person or person unknown.

Sec. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Capt. Claud E. Gray, Finance Department, the sum of \$38.89, public funds for which he is accountable and which represents an item disallowed by the Comptroller General of the United States.

Sec. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lt. Col. Emmett C. Morton, Finance Department, the sum of \$19.35, public money for which he is accountable and which comprises minor errors in the computation of mileage due former members of the citizens' military training camps, the collection of which sum cannot be effected from the persons to whom such erroneous payments have been made: *Provided*, That no part of this amount shall be charged to any person other than the payees.

Sec. 8. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. John L. Scott, Finance Department, the sum of \$5, public money for which he is accountable and which was received by him but found to be counterfeit.

Sec. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. John P. Tillman, Finance Department, the sum of \$5.23, public funds for which he is accountable and which were paid to a former Reserve officer of the United States covering pay and allowances and disallowed by the Comptroller General of the United States.

Sec. 10. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. John P. Tillman, Finance Department, the sum of \$138.41, public funds for which he is accountable and which were paid to a former soldier covering pay and allowances and disallowed by the Comptroller General of the United States.

Sec. 11. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. Hugh Whitt, Finance Department, \$1.42, public funds for which he is accountable and which has been disallowed by the Comptroller General of the United States.

Sec. 12. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. Walter O. Rawls, Finance Department, the sum of \$3,055.49, and in the accounts of Lt. Col. Emmett C. Morton, Finance Department, the sum of \$4,262.47, public funds for which they are accountable and which were paid by them to 37 employees of the Forest Service, Department of Agriculture, and disallowed by the Comptroller General of the United States.

Sec. 13. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lt. Col. Frank E. Parker, Finance Department, the sum of \$64.02, public funds for which he is accountable and which represent items disallowed by the Comptroller General of the United States.

Sec. 14. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Glenn Miller, Civilian Conservation Corps enrollee, the sum of \$40.50 in full satisfaction of his claim against the United States for damages to his clothing which was damaged by fire while Enrollee Miller was attempting to extinguish a fire in the garage of the Civilian Conservation Corps camp at Fayetteville, N. Y., on October 31, 1936.

Sec. 15. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lt. Col. F. M. Holmes, Finance Department, the sum of \$25, public money for which he is accountable and which was paid in error to a Civilian Conservation Corps enrollee's allottee on a certified voucher for the month of August 1933 and which amount has been disallowed by the Comptroller General: *Provided*, That no part of the amount so credited shall be charged to any person other than the payee: *Provided further*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maj. C. C. Chandler, Infantry, so much of said sum as shall have been collected from him prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LXXXIII—301

O. W. WADDLE

The Clerk called the next bill, S. 112, for the relief of O. W. Waddle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of O. W. Waddle, of Tishomingo, Miss., for injuries alleged to have resulted from a poisoning contracted while in the performance of his duties with the United States Engineer Service during the year 1926: *Provided*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendments:

Page 1, line 10, after the word "duties", strike out "with the United States Engineer Service" and insert "as a gage reader for the Geological Survey";

Page 2, line 1, after the word "act", insert "*Provided further*, That claim hereunder shall be filed within 6 months from the approval of this act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the time, and passed, and a motion to reconsider was laid on the table.

LOWRENZA D. JOHNSTON

The Clerk called the next bill, S. 181, for the relief of Lowrenza D. Johnston.

Mr. HANCOCK of New York and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

CLEAR CREEK MOUNTAIN SPRINGS, INC.

The Clerk called the next bill, S. 284, for the relief of Clear Creek Mountain Springs, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government of the United States, to Clear Creek Mountain Springs, Inc., the sum of \$200, covering all damages of every kind done to its property by the removal of certain buildings, injury to water and sewer lines, and injury to the grounds, drives, and walkways, including unpaid rent, all caused in the operation of a Civilian Conservation Corps camp under the control and direction of the United States Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORTHEASTERN PIPING & CONSTRUCTION CORPORATION

The Clerk called the next bill, S. 1448, for the relief of the Northeastern Piping & Construction Corporation, of North Tonawanda, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Northeastern Piping & Construction Corporation, of North Tonawanda, N. Y., the sum of \$1,175, said sum representing the amount withheld as liquidated damages under contract ACpp-76, dated June 9, 1933, for changes in the Capitol power heating tunnel, the same to be in full settlement of all claims against the Government growing out of said contract: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. V. BALLETO AND OTHERS

The Clerk called the next bill, S. 2022, for the relief of Lt. V. Balletto and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lt. V. Balletto the sum of \$166.17, to Lt. Robert B. S. Barney the sum of \$15.75, to Lt. W. D. Beattie the sum of \$306.17, to Capt. Edward E. Benson the sum of \$351.75, to Capt. William G. Brill the sum of \$145.14, to Capt. Chester T. Brown the sum of \$597.21, to Capt. Lindsey C. Brown the sum of \$248.55, to Lt. Walter L. Doerty the sum of \$323.94, to Capt. Patrick L. Dolan the sum of \$1,612.71, to Lt. Joseph B. Donnelly the sum of \$930.32, to Lt. Ralph F. W. Eye the sum of \$836.06, to Capt. John E. Fauber the sum of \$379.48, to Lt. H. C. Garretson, Jr., the sum of \$851.85, to Capt. Wellington Glover the sum of \$781.05, to Lt. Lorimer E. Goodwin the sum of \$775.36, to Lt. Francis J. Grueter the sum of \$281.51, to Lt. Leo Guibault the sum of \$68.92, to Lt. Phillips R. Hall the sum of \$375.24, to Lt. Leslie F. Hart the sum of \$689.10, to Lt. Norman J. Houston the sum of \$341.51, to Lt. H. G. Howard the sum of \$131.16, to Lt. Dixi C. Hoyt the sum of \$592.63, to Lt. John J. Kennedy, Jr., the sum of \$651.35, to Capt. Herbert L. Kuhn the sum of \$251.60, to Capt. Joseph A. McCusker the sum of \$535.96, to Lt. E. W. Mailman the sum of \$173.32, to Capt. W. H. Marble the sum of \$476.15, to Lt. Edward J. Norris the sum of \$383.28, to Lt. Harry A. Plumb the sum of \$468.54, to Lt. Thomas J. Quigley the sum of \$86.05, to Lt. Warren M. Rogers the sum of \$116.48, to Capt. Lewis W. Sanford the sum of \$402.47, to Lt. Roger G. Seely the sum of \$262.61, to Lt. F. Arnold Todd the sum of \$180.10, to Capt. Edwin L. Tucker the sum of \$205.61, to Lt. Carl E. E. Webber the sum of \$362.24, to Capt. H. E. Whitten the sum of \$1,275.67, to Camp Educational Adviser William W. Blodgett the sum of \$147.23, to Camp Educational Adviser B. W. Chapman the sum of \$34.03, to Contract Physician Daniel J. Sullivan the sum of \$83.03, to Contract Physician A. A. Weinstein the sum of \$628.20, and to the Officers' Club the sum of \$542.42, in full settlement of all their claims against the United States for reimbursement for personal effects destroyed as the result of a fire at the Charles M. Smith Civilian Conservation Corps Camp, at Waterbury, Vt., on December 26, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 4, after the word "Treasury", strike out the balance of line 4, all of line 5, and down to and including the word "Corps", in line 6, and insert in lieu thereof "not otherwise appropriated."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAM GREEN

The Clerk called the next bill, S. 2378, for the relief of Sam Green.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Sam Green, an employee of the Veterans' Administration facility, Johnson City, Tenn., in respect of his claim for disability alleged to have resulted from an injury sustained by him on August 7, 1934, and the United States Employees' Compensation Commission is hereby authorized to consider and determine his claim under the remaining provisions of said act: *Provided*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendment:

Page 2, line 3, after the word "act", insert "*Provided further*, That claim hereunder shall be filed within 6 months from the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FILIBERTO A. BONAVENTURA

The clerk called the next bill, H. R. 8569, for the relief of Filiberto A. Bonaventura.

Mr. MOTT, Mr. STARNES, and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LOUIS LABEAUME

The Clerk called the bill (H. R. 8487) confirming to Louis Labeaume, or his legal representatives, title to a certain tract of land located in St. Charles County, in the State of Missouri.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the claim and title of Louis Labeaume and his legal representatives to a tract of land located in St. Charles County, State of Missouri, formerly granted to said Louis Labeaume by the Spanish Government, by grant from Juan Ventura Morales, dated July 5, 1802, containing, according to a survey thereof made in the month of February 1819 by Joseph Evans, deputy surveyor, 9,752.38 acres, designated on the official plats as United States survey numbered 1838, in townships 47 and 48, north of the base line, ranges 6 and 7, east of the fifth principal meridian, bounded north by Mississippi River, east by United States surveys Nos. 1703 and 1763, south by Missouri River, and west by United States surveys Nos. 17 and 1803 be, and are hereby, confirmed to said Louis Labeaume and his legal representatives: *Provided*, That this act shall operate only as a relinquishment, on the part of the United States, of all their right and claim to the above-described tract of land and shall not be considered as affecting the right of any other person or persons, if such there be, having a lawful claim to said land or a part thereof.

With the following committee amendment:

Page 1, line 7, after the figures "1802", strike out the remainder of line 7, all of lines 8, 9, and 10, and on page 2 strike out lines 1, 2, 3, 4, 5, and 6 and insert "designated as survey No. 1838, containing 9,752.38 acres, situated in township 48 north, ranges 6 and 7 east, and township 47 north, range 7 east, fifth principal meridian, Missouri, as shown by the official plats of these townships."

The committee amendment was agreed to.

Mr. HANCOCK of New York. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK of New York: Page 2, lines 12 and 13, strike out the words "legal representatives" and insert "successors in interest."

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MACK COPPER CO.

The Clerk called the bill (S. 2707) conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.

The SPEAKER. Is there objection?

Mr. COCHRAN, Mr. HANCOCK of New York, and Mr. MOTT objected, and the bill was recommitted to the Committee on War Claims.

MARIE FRANTZEN M'DONALD

The Clerk called the bill (H. R. 1737) for the relief of Marie Frantzen McDonald.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marie Frantzen McDonald, of Valdez, Alaska, the sum of \$2,500, in full settlement of her claim against the United States for injuries sustained on October 23, 1927, at Kokrines, Alaska, while in the performance of her duties as teacher in the employ of the Bureau of Education: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the limitations of time in sections 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, are hereby waived in favor of Marie Frantzen McDonald, nee Marie Frantzen, of Valdez, Alaska, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider her claim for injury and disability alleged to have been sustained on or about October 23, 1927, while in the performance of her duties as a school teacher at the Bureau of Education's school, Kokrines, Alaska: *Provided*, That claim hereunder shall be filed within 6 months from the approval of this act."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM A. FLEEK

The Clerk called the bill, H. R. 3313, for the relief of William A. Fleek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$61.70 to William A. Fleek, in full settlement of all claims against the Government of the United States that the said William A. Fleek may have for services rendered and materials furnished in making repairs to the United States jail and deputy marshal's office at Douglas, Alaska, during the months of October, November, and December 1933 and January 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the word "Fleek", insert "of Douglas, Alaska."

Line 7, strike out the words "the Government of" and in line 8, strike out "that the said William A. Fleek may have."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MARY KANE, ELLA BENZ, AND OTHERS

The Clerk called the bill, H. R. 4222, for the relief of Mary Kane, Ella Benz, Muriel Benz, John Benz, and Frank Restis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mary Kane the sum of \$3,500, to Ella Benz the sum of \$1,250, to Muriel Benz the sum of \$350, to John Benz the sum of \$140.35, and to Frank Restis the sum of \$300, out of any money in the Treasury not otherwise appropriated, as compensation for and in full satisfaction of all claims for damages against the United States for injuries sustained by them when, on August 9, 1934, an automobile in which they were riding was struck by a United States mail truck in the city of Chicago, Ill.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 4, after the word "to", strike out the remainder of the line and all of lines 5, 6, 7, 8, and the word "and" in line 9 and insert a comma and the following: "pay, out of any money in the Treasury not otherwise appropriated, to Mary Kane of Chicago, Ill., the sum of \$1,000; to Ella Benz of Chicago, Ill., the sum of

\$500; to the legal guardian of Muriel Benz, a minor, of Chicago, Ill., the sum of \$75; to John Benz, of Chicago, Ill., the sum of \$140.35; and to Frank Restis, of Chicago, Ill., the sum of \$75; in all, \$1,790.35."

Page 2, line 6, strike out the words "for damages", and, after the word "injuries", insert "and property damage."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

J. F. STINSON

The Clerk called the bill (H. R. 4340) for the relief of J. F. Stinson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to J. F. Stinson, of Milledgeville, Ga., in full settlement of his claim against the United States for personal injuries suffered by him on December 17, 1936, when he was run down and injured by one of the trucks of the Civilian Conservation Corps of Stevens Pottery, Ga.

With the following committee amendment:

Page 1, lines 8 and 9, strike out "run down and injured by one of the trucks" and insert "struck by a truck", and in lines 10 and 11, strike out "of Stevens Pottery, Ga." and insert "while standing on the edge of a road near Hardwick, Ga.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JOSEPH ZANI

The Clerk called the bill (H. R. 4819) for the relief of Joseph Zani.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Zani, Orange, Mass., the sum of \$10,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Joseph Zani as the result of the death of his son, Joseph Zani, Jr., who was instantly killed on November 15, 1935, when struck by a machine owned by the Federal Emergency Relief Administration.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000. Such sum shall be" and insert "\$2,500."

Page 2, line 1, after the word "Administration", insert "at the intersection of East Main Street and Wheeler Avenue, Orange, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to; and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DR. A. J. COTTRELL

The Clerk called the next bill, H. R. 6646, for the relief of Dr. A. J. Cottrell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$5,000 to Dr. A. J. Cottrell, in full settlement of all claims against the United States for personal injuries to him, and medical and hospital expenses incident thereto, as a result of a collision of an automobile in which he was riding with a Government Civilian Conservation

Corps truck, which truck was being recklessly operated, running into car driven by claimant from the rear. This injury to claimant occurred on Friday, September 25, 1936, on the public highway between Knoxville and Fountain City, Tenn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, lines 5, 6, and 7, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$5,000 to Dr. A. J. Cottrell" and insert in lieu thereof "not otherwise appropriated, to Dr. A. J. Cottrell, of Knoxville, Tenn., the sum of \$3,500."

Page 1, line 10, strike out the words "as a result of a collision of an" and insert "when the."

Page 1, line 11, strike out the words "with a Government" and insert "was struck by a."

Page 1, line 12, and page 2, lines 1 and 2, strike out the words "which truck was being recklessly operated, running into car driven by claimant from the rear. This injury to claimant occurred on Friday."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILDRED G. YUND

The Clerk called the next bill, H. R. 6780, for the relief of Mildred G. Yund.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Mildred G. Yund, widow of Harry G. Yund, a former employee of the post office at East St. Louis, Ill., whose death on April 8, 1934, is alleged to have resulted from an injury sustained while in the performance of duty on or about March 15, 1932, and the United States Employees' Compensation Commission is authorized to receive and consider her claim under the remaining provisions of the said act: *Provided*, That claim hereunder shall be filed within 90 days from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendments:

Page 1, line 3, strike out the figures and word "17 and 20" and insert "15 to 20, both inclusive."

Page 2, line 3, strike out the words "90 days" and insert "6 months."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. NEWTON D. PETERSEN

The Clerk called the next bill, H. R. 6803, for the relief of Mrs. Newton D. Petersen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Newton D. Petersen, of Seattle, Wash., the sum of \$5,336, of which amount \$336 represents expenses incurred at the time of the injury and wages lost due to inability to continue at work. Such sum shall be in full settlement of her claim against the United States on account of injuries resulting from an accident on December 24, 1934, at the Black Ball Ferry Landing, Colman Dock, Seattle, Wash., when United States Navy truck No. 4041 backed into the front left fender of her car, injuring her left hand and wrist to the extent of a comminuted fracture of the lower end of the radius, with a forward displacement of the upper fragment, also a simple fracture of the lower third of the ulna, and a fracture of the ulnar styloid, with a slight separation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out the letter "D."

Page 1, lines 6, 7, 8, and 9, strike out the words "\$5,336, of which amount \$336 represents expenses incurred at the time of the injury and wages lost due to inability to continue at work. Such sum shall be" and insert "\$1,000."

Page 1, line 10, strike out the word "injuries" and insert "personal injury and property damage."

Page 2, line 1, start with the word "front" and strike out all of the bill through the word "separation" in line 6 and insert "her automobile."

Amend the title.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mrs. Newton Petersen."

ANDREW J. M'GARRAGHY

The Clerk called the next bill, H. R. 6950, for the relief of Andrew J. McGarraghy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of Andrew J. McGarraghy, employed in the office of the chief clerk, Engineer Department, Government of the District of Columbia, and his claim for compensation for disability dating from June 11, 1934, is authorized to be considered and acted upon under the remaining provisions of such act, as amended, as if he had filed notice of injury and claim for compensation for disability within the time prescribed by such sections 17 and 20, but only if he files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

With the following committee amendments:

Page 1, line 3, strike out the figures "17 and 20", and insert "15 to 20, inclusive."

Page 1, line 11, after the words "compensation for", insert "alleged."

Page 2, lines 2, 3, and 4, strike out the words "for disability within the time prescribed by such sections 17 and 20" and insert a comma.

Page 2, lines 5 and 6, strike out the words "60 days" and insert "6 months."

At the end of the bill, add: "Provided, That no benefits shall accrue prior to the enactment of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOE F. PEDLICHEK

The Clerk called the next bill, H. R. 7521, for the relief of Joe F. Pedlichek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Joe F. Pedlichek, of Boise, Idaho, the sum of \$500 in full satisfaction of his claim against the United States for personal injuries sustained when he was struck by a Forest Service truck, operated in connection with the Civilian Conservation Corps, on September 24, 1933, while walking along the Boise-Eagle Highway, Idaho: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, lines 5 and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert "not otherwise appropriated."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

J. LAKE DAVIS

The Clerk called the next bill, H. R. 7548, for the relief of J. Lake Davis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000 to J. Lake Davis, Richton, Miss., in full settlement of all claims against the United States for injuries sustained by him and for the death of his wife, arising from an accident on October 21, 1936, in which his truck broke through a cattle guard constructed by the Forest Service on a county road in DeSoto National Forest, Wayne County, Miss.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out the words and figures "the sum of \$15,000."

Page 1, line 6, after the word "Mississippi", insert "the sum of \$2,500, and to the administrator of the estate of Mrs. J. Lake Davis, deceased, formerly of Richton, Miss., the sum of \$5,000."

Page 1, line 8, strike out the words "his wife arising from" and insert "Mrs. Davis as the result of."

Amend the title.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of J. Lake Davis and the estate of Mrs. J. Lake Davis."

NEWARK CONCRETE PIPE CO.

The Clerk called the next bill, H. R. 7675, for the relief of Newark Concrete Pipe Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Newark Concrete Pipe Co. the sum of \$1,825.41 in full and final settlement and satisfaction for damage due to explosions at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926.

With the following committee amendment:

In line 5, after the word "appropriated", strike out the remainder of the bill, and insert in lieu thereof the following: "to the Newark Concrete Pipe Co., Newark, N. J., the sum of \$1,825.41 in full satisfaction of its claim against the United States for damage to property owned by it at Wharon, N. J., on July 10, 1926, as a result of explosions at the naval ammunition depot, Lake Denmark, N. J.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

S. L. CLAYPOLE

The Clerk called the next bill, H. R. 8461, for the relief of S. L. Claypole.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to S. L. Claypole the sum of \$20,000, in full settlement of all claims against the Government

of the United States for the death of his two sons, Ray C. Claypole and Raymond L. Claypole, who were killed on July 10, 1930, near Henrietta, Mo., in a collision with a United States Engineer truck, No. 1520, driven by Charles B. Reed, an employee of the Government at said time, and due to his carelessness and negligence in the operation of said truck.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to S. L. Claypole, of Richmond, Mo., the sum of \$3,000, and to Bertha Wrisinger, of Richmond, Mo., the sum of \$5,000, in full settlement of all claims against the United States for the deaths of Raymond L. Claypole and Ray C. Claypole, sons of S. L. Claypole, and Everett E. Wrisinger, husband of Bertha Wrisinger, who were killed when the automobile in which they were riding was struck by a truck of the Corps of Engineers, War Department, on the Ozark Short Line Road, near Henrietta, Mo., July 10, 1930: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Amend the title.

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the committee amendment: Page 2, line 7, after the words "the sum of", strike out "\$5,000" and insert "\$2,500."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of S. L. Claypole and Bertha Wrisinger."

W. O. WEST

The Clerk called the next bill, H. R. 8572, for the relief of W. O. West.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

By unanimous consent, a similar Senate bill (S. 3130) was substituted for the House bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. O. West, Percilla, Tex., the sum of \$400. Such sum represents the appraised value, as of March 2, 1937, of an automobile owned by the said W. O. West and stolen from him on February 7, 1937. Such automobile was seized on March 2, 1937, by investigators of the Alcohol Tax Unit, Bureau of Internal Revenue, forfeited to the United States on April 24, 1937, and subsequently delivered to the Department of Agriculture for official use. Through no fault of the said W. O. West, his application for remission of the forfeiture of such automobile was filed after the expiration of the period allowed by law for the filing of such application.

Mr. COSTELLO. Mr. Speaker, I offer two amendments to make the Senate bill conform to the House bill.

The Clerk read as follows:

Amendments offered by Mr. COSTELLO to the Senate bill:

Page 1, line 6, after the words "sum of", strike out the remainder of line 6, all of lines 7 and 8, and all of line 9, down to and including the word "was", and insert in lieu thereof the following: "\$400 in full satisfaction of his claim against the United States for the appraised value of his automobile, which was stolen February 7, 1937."

Page 2, line 1, of the Senate bill, after the word "use", change the period to a colon, strike out the remainder of the line and all of lines 2, 3, and 4, and insert in lieu thereof the following: "": *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. J. H. McCLARY

The Clerk called the next bill, S. 283, for the relief of Mrs. J. H. McClary.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government of the United States, to Mrs. J. H. McClary the sum of \$5,000; the death of J. H. McClary, husband of claimant, having been caused by an accident on the night of October 31, 1935, through the negligence of a Government automobile from the Fort Knox Military Reservation and while driven on business of the Government: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, after the word "otherwise", strike out the remainder of line 5 and all of lines 6 to 12, inclusive, and insert "appropriated, to Mrs. J. H. McClary, of Russellville, Ky., the sum of \$5,000, in full satisfaction of her claim against the United States for the death of her husband, J. H. McClary, who was killed November 1, 1935, when the truck he was driving was struck by an automobile of the United States Army, operated by an enlisted man thereof, on United States Highway No. 31-W, near Glasgow Junction, Ky."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESSIE E. LEATHERWOOD

The Clerk called the next bill, S. 1660, for the relief of Essie E. Leatherwood.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Essie E. Leatherwood, of Albuquerque, N. Mex., the sum of \$5,000 in settlement of any and all claims against the Government on account of the death of her minor son, William Eugene Leatherwood, who died as a result of injuries received in an automobile collision with a truck owned by the Government and driven by Lauren Allen, agent and employee of the Government, in the service of the Division of Grazing, near what is commonly known as Five Points on the public highway in Bernalillo County, N. Mex., on August 8, 1936: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADA SAUL, STEVE DOLACK, ESTATE OF ANTHONY DOLACK, AND MARIE McDONALD

The Clerk called the next bill, S. 2091, for the relief of Ada Saul, Steve Dolack, and Marie McDonald.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, (1) to Ada Saul, of Belt, Mont., the sum of \$5,000 in full satisfaction of her claim against the United States resulting from the death of her daughter, Isabel Saul, who was killed when a Civilian Conservation Corps truck in which she was riding, driven by Enrollee Cecil Simpson, overturned on January 20, 1936, about 1 mile from Armington, Mont.; (2) to Steve Dolack, of Armington, Mont., the sum of \$5,000 in full satisfaction of his claim against the United States resulting from the death of his son, Anthony Dolack, who was killed in the same accident; and (3) to Marie McDonald, of Belt, Mont., the sum of \$3,000 in

full satisfaction of her claim against the United States resulting from personal injuries sustained by her in the same accident: *Provided,* That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amounts appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, after the enacting clause, strike out the remainder of page 1 and lines 1 to 8, inclusive, page 2, and insert the following: "That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ada Saul, of Belt, Mont., the sum of \$2,500, in full satisfaction of her claim against the United States for the death of her daughter, Isabel Saul, a minor; to Steve Dolack, of Armington, Mont., the sum of \$99.25, in full satisfaction of his claim against the United States for expenses incurred as the result of personal injuries to his daughters, Dorothy and Sophia Dolack; to the administrator of the estate of Anthony Dolack, deceased, formerly of Armington, Mont., the sum of \$2,500, in full satisfaction of all claims against the United States for the death of Anthony Dolack; and to Marie McDonald, of Belt, Mont., the sum of \$3,000, in full satisfaction of her claim against the United States for personal injuries; said deaths and injuries resulting on January 20, 1936, when a Civilian Conservation Corps truck, in which Isabel Saul, Dorothy, Sophia, and Anthony Dolack, and Marie McDonald were passengers, was driven over a 30-foot embankment near Belt, Mont., by its enrollee-operator."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of Ada Saul, Steve Dolack, the estate of Anthony Dolack, and Marie McDonald."

NELSON W. APPLE, CAMILLE CARMIGNANI, AND GEORGE MARSH

The Clerk called the next bill, S. 2138, for the relief of Nelson W. Apple, Camille Carmignani, and George Marsh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nelson W. Apple, Gallup, N. Mex., the sum of \$1,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Nelson W. Apple on account of personal injuries received on the night of September 26, 1936, when the automobile in which he was riding ran into the rear of a truck, with trailer attached, in the service of the Office of Indian Affairs, such truck being parked without proper warning signals on the highway about 10 miles east of Gallup, N. Mex.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the word "of", strike out "\$1,000. The payment of such sum shall be" and insert "\$1,000, to George Marsh, Gallup, N. Mex., the sum of \$5,000, and to Camille Carmignani, Gallup, N. Mex., the sum of \$5,000."

Page 1, lines 8 and 9, strike out the words "damages sustained by the said Nelson W. Apple on account of personal injuries received" and insert "personal injuries to Nelson W. Apple and George Marsh, and for the death of George Carmignani, son of Camille Carmignani, sustained."

Page 1, lines 10 and 11, strike out the words "he was" and insert "they were."

Page 1, line 12, strike out the words "in the service" and the words "such truck being" appearing in line 12 and line 1, page 2, and insert "Interior Department, which was."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for the relief of Nelson W. Apple, George Marsh, and Camille Carmignani."

SCOTT HART

The Clerk called the next bill, S. 2261, for the relief of Scott Hart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Scott Hart, the sum of \$5,663, in full settlement of all claims against the United States, for injuries sustained by him on or about November 17, 1935, when an automobile in which he was a passenger struck a ditch which had been dug across the public highway by personnel of the Lewes Coast Guard Station: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the name "Hart", insert "of Lewes, Del."
Page 1, line 7, strike out the words "or about."
Page 1, line 8, strike out the figures "17" and insert "18."
Page 1, line 10, after the word "Lewes", insert a comma and the word "Delaware."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SHIRLEY AND MATILDA COCHRAN AND THE ESTATES OF AL, WILLIS, AND RUSSELL COCHRAN, DECEASED

The Clerk called the next bill, S. 2427, for the relief of the estates of Al Cochran, Willis Cochran, and Russell Cochran, and for the relief of Shirley Cochran and Matilda Cochran.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Russell E. Smith, as administrator of the estate of Al Cochran, deceased, the sum of \$5,145.55; to Russell E. Smith, as administrator of the estate of Willis Cochran, deceased, the sum of \$3,505; to Russell E. Smith, as administrator of the estate of Russell Cochran, deceased, the sum of \$4,514.50; to Russell E. Smith, as guardian of the estate of Shirley Cochran, a minor, the sum of \$2,338.10; and to Matilda Cochran the sum of \$5,057.93; in full satisfaction of the claims of such estates and said Matilda Cochran against the United States on account of the deaths of Al Cochran, Willis Cochran, and Russell Cochran, and personal injuries to Shirley Cochran and Matilda Cochran resulting from an accident on August 14, 1936, 4 miles west of Albion, Mont., on United States Highway No. 10, caused by a Civilian Conservation Corps ambulance striking the automobile in which the persons killed and injured were then riding: *Provided,* That no part of the amount appropriated in this act in excess of 5 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 5 percent thereof on account of services rendered in connection with such claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, lines 4 and 5, after the word "Treasury", strike out the remainder of line 4, all of line 5, and in line 6 the words "Conservation Corps" and insert in lieu thereof the words "not otherwise appropriated."

The committee amendment was agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendments offered by Mr. COSTELLO: Page 1, line 8, after the words "sum of", strike out "\$5,145.55" and insert in lieu thereof "\$5,000."

Page 1, line 9, after the words "sum of", strike out "\$3,505" and insert in lieu thereof "\$2,500."

Page 2, line 2, after the words "sum of", strike out "\$4,514.50" and insert "\$2,500."

Page 2, line 5, strike out "\$5,057.93" and insert "\$3,557.93."

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF METLAKAHTLA INDIANS' CITIZENSHIP ACT

The Clerk called the next bill, H. R. 7990, to extend the Metlakahla Indians' Citizenship Act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, a similar Senate bill will be substituted for the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the benefits of the act approved May 7, 1934, entitled "An act granting citizenship to the Metlakahla Indians of Alaska" (48 Stat. 667), are hereby extended to Charles A. Ryan, an Indian of the Tsimshian Tribe, born in British Columbia, Canada, who is now a bona fide permanent resident of Metlakahla, in the Annette Islands Reserve, Alaska, and who is a member of the Metlakahla Community.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill, H. R. 7990, was laid on the table.

NICOLSON SEED FARMS

The Clerk called the next bill, H. R. 9349, for the relief of the Nicolson Seed Farms, a Utah corporation.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That notwithstanding the 160-acre limitation in the color of title act of December 22, 1928 (45 Stat. 1069), the Secretary of the Interior is authorized to receive an application to purchase from and issue a patent to the Nicolson Seed Farms, a Utah corporation, for any public lands in sections 1, 2, 3, 4, 9, 10, 11, 12, 15, and 16, township 18 south, range 8 west, Salt Lake meridian, Millard County, Utah, upon compliance by said corporation with and subject to the other provisions of said color of title act and the regulations issued thereunder: *Provided,* That said corporation shall present its application within 1 year from the date of the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. HAROLD HUDDLESTON

The Clerk called the next bill, H. R. 3257, for the relief of Mr. and Mrs. Harold Huddleston.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, to Mr. and Mrs. Harold Huddleston, parents of Charles Huddleston, minor, the sum of \$249.75 for personal injuries to the said Charles Huddleston, minor, who was seriously injured on September 2, 1936, when struck by a moving swing being operated on a public playground in the city of Pittsfield, Mass., the said playground being under the supervision of the Works Progress Administration.

With the following committee amendments:

Page 1, line 5, after the word "appropriated", strike out the remainder of line 5 and all of lines 6 to 9, inclusive, and insert "to Harold Huddleston, of Pittsfield, Mass., the sum of \$249.75, in full settlement of all claims against the United States for personal injury to his minor son, Charles Huddleston, received."

Page 2, line 5, after the word "Administration", insert the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Amend the title.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Harold Huddleston."

FLORIDIAN PRESS OF JACKSONVILLE, INC.

The Clerk called the next bill, H. R. 4564, for the relief of the Floridian Press of Jacksonville, Inc., Jacksonville, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Floridian Press of Jacksonville, Inc., Jacksonville, Fla., the sum of \$30.12. Such sum represents the actual cost to the said Floridian Press of plates for zinc etchings used in printing the transcript of record in the case of United States of America, appellant, against Anna Marie Norton, appellee, in the United States Circuit Court of Appeals for the Fifth Circuit. The contract which the said Floridian Press had with the United States for the printing of certain briefs and records for the United States attorney's office for the southern district of Florida during the fiscal year ending June 30, 1935, through error, did not provide for the use of zinc etchings.

With the following committee amendments:

Page 1, line 6, after the words "the sum of" strike out "\$30.12," the remainder of line 6, and all of line 7, and insert "\$30.12, in full satisfaction of its claim against the United States for the cost."

Page 2, strike out all of lines 2 to 7, inclusive, and insert the following: "Circuit, such work having been omitted from its printing contract of June 20, 1934, with the United States attorney for the southern district of Florida: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES SHIMKUNAS

The Clerk called the next bill, H. R. 4668, for the relief of James Shimkunas.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Shimkunas, Gardner, Mass., the sum of \$3,315. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said James Shimkunas as the result of being struck and seriously injured by a United States mail truck in Gardner, Mass., on December 12, 1932.

With the following committee amendments:

Page 1, line 6, after the words "the sum of", strike out "\$3,315", the remainder of line 6, and the word "be" in line 7 and insert "\$1,250."

Line 8, after the word "for", strike out the remainder of line 8 and insert "personal injuries sustained."

Line 9, after the word "struck", strike out the words "and seriously injured."

Line 11, after "1932", insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSE G. WHITFIELD AND OTHERS

The Clerk called the next bill, H. R. 5166, for the relief of Jesse G. Whitfield and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to convey by quitclaim deed to Jesse G. Whitfield, his heirs and assigns, all the right, title, and interest of the United States in and to the following-described lands within the county of Houston, State of Alabama: The southwest quarter of the northwest quarter, the northwest quarter of the southwest quarter, and the southeast quarter of the northwest quarter, all in section 18, township 3, range 26 east of the Saint Stephen's meridian.

With the following committee amendments:

Page 1, strike out all after the enacting clause and insert the following:

"That all right, title, and interest which may have been acquired by the United States under a marshal's deed dated February 12, 1894, recorded in the office of the judge of probate court, Dale County, Ala., February 17, 1894, book G of Deeds, pages 328, 329, in and to certain lands situated in Houston (formerly Dale) County, Ala., and described as follows: The northwest quarter of the southwest quarter and the southeast quarter of the northwest quarter of section 18, township 3, range 26, east of the St. Stephen's meridian, be, and the same are hereby, released and relinquished by the United States.

"Sec. 2. Nothing in this act shall in any manner abridge, divest, impair, injure, or prejudice any valid right, title, or interest of any person or persons in or to any portion or part of the lands described in section 1 of this act, the true intent of this act being to relinquish and abandon, grant, give, and concede any and all right, interest, and estate, in law or equity, which the United States is or is supposed to be entitled to by virtue of said marshal's deed, in said lands, in favor of all persons, estates, firms, or corporations who would be the true and lawful owners of same under the laws of the State of Alabama, including the law of prescription, in the absence of the interest and estate of the United States therein."

Amend the title.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to relinquish the title or interest of the United States in certain lands in Houston (formerly Dale) County, Ala., in favor of Jesse G. Whitfield or other lawful owners thereof."

JOHN G. EDWARDS

The Clerk called the next bill, H. R. 5842, for the relief of John G. Edwards.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to John G. Edwards, of Kittery, Maine, out of any money in the Treasury not otherwise appropriated, the sum of \$300. Such sum represents 6 months' retirement annuity pay not paid him by reason of his premature separation from the Government service through error in the calculation by officers of the United States of his length of service.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John G. Edwards, of Kittery, Maine, the sum of \$250, in full satisfaction of his claim against the United States for a loss of retirement annuity caused by his premature separation from service as a civilian employee, Portsmouth (N. H.) Navy Yard, on July 31, 1930, due to miscalculation thereof: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETER WETTERN

The Clerk called the next bill, H. R. 5867, for the relief of Peter Wettren.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter Wettren, of Red Wing, Minn., the sum \$2,937 as damages for personal injury and for nurse, medical, and hospital expense caused by the negligent operation of a truck owned and operated by an employee of the United States. Such sum shall be in full settlement of claims against the United States on account of injuries growing out of the accident on November 5, 1935, near Red Wing, Minn., when an automobile in which he was driving was struck by a Civilian Conservation Corps truck negligently driven.

With the following committee amendments:

Page 1, line 6, after the word "sum", strike out "\$2,937" and the remainder of the line, all of lines 7 to 9, inclusive, and the words "shall be", in line 10, and insert "of \$1,841."

Line 10, after the word "of", insert the word "all."

Line 11, after the word "States", strike out the remainder of line 11 and the word "accident", in line 1, on page 2, and insert "for personal injuries received."

Page 2, line 3, after the word "was", strike out the word "driving", and insert the word "riding."

Line 4, after the word "Corps", strike out the words "truck negligently driven", and insert the following: "truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. F. ELINE

The Clerk called the next bill, H. R. 6364, for the relief of J. F. Eline.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of money in the Treasury not otherwise appropriated, the sum of \$450 to J. F. Eline, of Reisterstown, Baltimore County, Md., on account of damages done to his truck in collision with an Army touring car on the Reisterstown Turnpike Road, on May 7, 1927.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. F. Eline and Son, of Reisterstown, Md., the sum of \$450, in full satisfaction of all claims against the United States for damage to their hearse when it collided with an automobile of the United States Army at the intersection of Delight Road with Reisterstown Road, Baltimore County, Md., on May 7, 1927: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of J. F. Eline and Son."

A motion to reconsider was laid on the table.

EPHRIAM J. HICKS

The Clerk called the next bill, H. R. 6885, for the relief of Ephriam J. Hicks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Ephriam J. Hicks, of Vicksburg, Miss., out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 on account of injuries received by him while in the employ of the United States Government fleet, Engineer Office, Vicksburg, Miss., on July 11, 1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Ephriam J. Hicks, of Vicksburg, Miss., and the Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said act his claim on account of injury and disability alleged to have been incurred on or about July 11, 1933, while performing his duties as a laborer for the United States Engineer Office, Vicksburg, Miss.: *Provided*,

That claim hereunder shall be filed within 6 months from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILSON H. PARKS, ELSA PARKS, AND JESSIE M. PARKS

The Clerk called the next bill, H. R. 7443, for the relief of Wilson H. Parks, Elsa Parks, and Jessie M. Parks.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wilson H. Parks the sum of \$1,512, to Elsa Parks the sum of \$250, and to Jessie M. Parks the sum of \$1,000, all of Hay Springs, Nebr., in full satisfaction of their claims against the United States for property damage and personal injuries resulting from a collision in which they were struck by an Indian Service automobile operated by Georgia Rae Easter, Home Extension Agent, on June 8, 1934; and the Secretary of the Interior is hereby authorized and directed to waive the hospital charges of \$258 against Jessie M. Parks for hospitalization in the Pine Ridge Hospital, an Indian Service hospital, on account of said accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$1,512" and insert "\$750".

Page 1, line 10, strike out "from a collision in which they were", and insert "when the wagon in which they were riding was".

Page 1, line 11, strike out "Georgia Rae Easter," and insert "a".

Page 2, line 1, after the word "on", insert "the Pine Ridge-Chadron Road, Sheridan County, Nebr."

Page 2, line 2, strike out "waive" and insert "cancel".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EULA SCRUGGS

The Clerk called the next bill, H. R. 7601, for the relief of Eula Scruggs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eula Scruggs, the sum of \$1,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by her on the 22d day of August 1934 when a vehicle in which she was riding collided with a vehicle in the service of the Civilian Conservation Corps, at the intersection of Dearborn and Charleston Streets, in the city of Mobile, Ala.

With the following committee amendments:

In line 5, after the name "Scruggs" insert "of Mobile, Ala.,".

In line 6, strike out the figures and words "\$1,000. The payment of such sum shall be" and insert "\$500,".

In line 7, strike out the word "damages" and insert "personal injuries."

At the end of the bill add: "": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. L. ELDRIDGE

The Clerk called the next bill, H. R. 7734, conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claim of A. L. Eldridge.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of A. L. Eldridge, of Columbus, Ohio, for damages resulting from personal injuries and property damage received by him on _____ at Columbus, Ohio, by reason of an automobile collision involving a Works Progress Administration truck: *Provided*, That the judgment, if any, shall not exceed \$500.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals herefrom, and payment of any judgments thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

With the following committee amendments:

In line 8, after the word "on", insert "February 12, 1937."

On page 2, in line 2, strike out the period after the figures "500", insert a colon in its stead, and add the following: "*Provided further*, That the United States shall be entitled, in the same proceeding, to a judgment against said A. L. Eldridge for damage to the truck of the Works Progress Administration in the event the said court shall so determine."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK SCOFIELD

The Clerk called the next bill, H. R. 7796, for the relief of Frank Scofield, collector of internal revenue, Austin, Tex.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to relieve Frank Scofield, collector of internal revenue, Austin, Tex., of the value of certain \$3 documentary internal-revenue stamps amounting to \$342, which were charged to him and which have through some unknown means disappeared from his office.

With the following committee amendments:

In lines 3 and 4, strike out the words "That the Secretary of the Treasury be, and he is hereby, authorized and directed to" and insert "That the Comptroller General of the United States is hereby authorized and directed to allow credit in the account of, or to otherwise."

In line 5, strike out the word "of" and insert "for."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Frank Scofield."

MRS. GUY A. M'CONOHA

The Clerk called the bill (S. 523) for the relief of Mrs. Guy A. McConoha.

Mr. COSTELLO, Mr. HANCOCK of New York, and Mr. TABER objected, and the bill was recommitted to the Committee on Claims.

SUSAN LAWRENCE DAVIS

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7759) for the relief of Susan Lawrence Davis, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That there is hereby appropriated and the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Susan Lawrence Davis, out of any money in the Treasury to the credit of the United States and the government of the District of Columbia not otherwise appropriated, in the same proportion that the annual fiscal expenses of the government of the District of Columbia were paid for the fiscal year ending June 30, 1932, the sum of \$10,000, and when same is received by the said Susan Lawrence Davis it shall be in full satisfaction and settlement of all claims against the United States and the government of the District of Columbia on account of the cruel and disgraceful indignities wrongfully inflicted upon her on May 2, 1932, when without provocation or excuse she was arrested on private property

and taken charge of by a police officer and assistant and forcibly taken to Gallinger Hospital, which is a receiving hospital for mentally afflicted patients, both said hospital and police system being partly supported by the United States and the government of the District of Columbia, the said Susan Lawrence Davis then being wrongfully accepted by and illegally detained and confined in said Gallinger Hospital, under an unauthorized charge of being insane, and required to occupy the same room and eat from the same table with mentally afflicted patients from said May 2, 1932, until the evening of May 3, 1932, when her friends forced said hospital to discharge her, the room in which she lived in her absence having been searched by police officers and all of her private papers, clothing, money, jewelry, and other personal effects having been taken charge of and removed to a police office, to which she was forced to go in order to get them back, such cruel, inhumane, and outrageous treatment, to one of her high standing, fine sensibilities, and advanced age, causing her to suffer great embarrassment, mortification, shock, and injuries: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendments:

The Clerk read as follows:

Page 1, line 3, strike out "there is hereby appropriated and."

Page 1, line 5, after the word "Davis," insert "of Washington, D. C."

Page 1, line 11, and page 2, line 1, strike out "\$10,000, and when same is received by the said Susan Lawrence Davis it shall be."

Page 2, line 2, at the beginning of the line, insert "\$3,600."

Page 2, line 4, after the word "of," strike out the remainder of the line and all of lines 5 to 25, inclusive, and the word "injuries" in line 1, page 3, and insert "damage to her business and reputation resulting from her illegal arrest on May 2, 1932, by a policeman of the Metropolitan Police Department and her subsequent confinement in Gallinger Hospital for mental examination."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

Mr. COSTELLO. Mr. Speaker, I move to dispense with further proceedings under the Private Calendar.

The motion was agreed to.

CALL OF THE HOUSE

Mr. GRAY of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. COCHRAN. Mr. Speaker, I move a call of the House. The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 56]

Allen, Pa.	Daly	Keller	O'Toole
Boykin	Deen	Kerr	Owen
Boylan, N. Y.	Doughton	Kniffin	Patrick
Buckley, N. Y.	Douglas	Kvale	Rankin
Bulwinkle	Drewry, Va.	Lemke	Rogers, Okla.
Byrne	Duncan	Long	Secrest
Cannon, Wis.	Elliott	Magnuson	Sullivan
Carter	Fish	Martin, Colo.	Sutphin
Cartwright	Fitzpatrick	Mitchell, Ill.	Wheelchel
Champion	Hancock, N. C.	Mitchell, Tenn.	White, Idaho
Colden	Honeyman	Murdock, Ariz.	Wilcox
Cole, Md.	Hook	O'Connell, Mont.	Wood
Cullen	Jenckes, Ind.	O'Connor, Mont.	

The SPEAKER. On this call 377 Members have answered to their names, a quorum.

Mr. COCHRAN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

EXEMPTION OF CERTAIN TUGS, YACHTS, ETC.

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 29, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate Concurrent Resolution 29

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President of the Senate in signing the enrolled bill (H. R. 7158) to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended, be, and it is hereby, rescinded; and that the House of Representatives be, and it is hereby, requested to return to the Senate the engrossed bill.

Mr. SNELL. Mr. Speaker, do I understand that this is merely to correct an error?

Mr. BLAND. That is correct.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to, and a motion to reconsider the vote by which the concurrent resolution was agreed to was laid on the table.

EXTENSION OF REMARKS

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address delivered over the radio by the gentleman from New York [Mr. BARTON].

The SPEAKER. Is there objection?

There was no objection.

REORGANIZATION BILL

Mr. COCHRAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 3331) to provide for reorganizing agencies of the Government, extending the classified civil service, establishing a General Auditing Office and a Department of Welfare, and for other purposes. Pending that, Mr. Speaker, I ask unanimous consent that general debate close when the House adjourns today.

Mr. SNELL. Mr. Speaker, I reserve the right to object.

Mr. STACK. Mr. Speaker, I object.

Mr. COCHRAN. Mr. Speaker, I have a further unanimous consent request to make, that debate close at the expiration of 4 hours, to be equally divided between the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. STACK. Mr. Speaker, I reserve the right to object.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. STACK. Yes.

Mr. TABER. Mr. Speaker, would it not be possible to come to an agreement that debate close in 8 hours? That would carry us through today and tomorrow, and wind up debate tomorrow evening. If the time is divided, I say to the gentlemen on my left who are opposed to the bill that they will be given at least half of the time that I control.

Mr. SWEENEY. Mr. Speaker, I reserve the right to object. I think the House has been pretty liberal in view of the action taken the other day. I for one have no desire to prolong debate, but some of us have not been heard and have not been given an opportunity to be heard. The committee has usurped all of the time practically. If I have assurance that I can get 20 minutes, I shall not object.

Mr. COCHRAN. Mr. Speaker, of the last hour to be consumed on this side, 40 minutes went to the opposition. As far as the gentleman is concerned, if the gentleman had ever asked me for 20 minutes—

Mr. SWEENEY. Oh, the gentleman must know that my name was on his list for 3 days.

Mr. COCHRAN. I shall be very glad to give the gentleman 20 minutes. I give that assurance now rather than argue what might have happened. The record shows I have never attempted to deprive anyone of the right to talk. When the motion was made to close debate everyone who asked for time on both sides had been recognized but one and that gentleman consumed at least 30 minutes before the bill was read. Let us find out who wants to talk and so far as I am concerned they can talk if they confine them-

selves to the bill. Remember there will be no effort to shut anyone off under the 5-minute rule.

Mr. RAYBURN. I was wondering if it would not be satisfactory after the many hours of debate we have had on this bill, and a very fair arrangement, if we could split the difference between the request of the gentleman from Missouri and the suggestion of the gentleman from New York and have 3 hours on a side. That is a day and a half. Let me say further that many Members on both sides of the aisle have come here at great inconvenience to themselves because they have primaries at home, and while they want to stay, as do all Members, they are also anxious to get away this week some time. It seems to me that an additional 6 hours of debate would certainly be a very generous allotment of time.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. SNELL. A good deal depends, of course, on how generous the majority side is going to be about debate on the individual titles carried in this bill. How is the bill going to be read?

Mr. RAYBURN. I am glad the gentleman from New York asked that question. The House bill, of course, is one amendment. It could be read through and then an amendment offered to any part of it. Frankly, I do not think that is proper procedure. If we could arrive at a reasonable arrangement about time, I think the members of the committee would be willing to make an agreement with reference to the reading of the bill by titles as if it were an original bill.

Mr. WARREN. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. WARREN. We were going to make that request before we started the reading of the bill, and had already agreed upon it, as I understood, with the gentleman from New York [Mr. TABER].

Mr. TABER. That is correct.

Mr. WARREN. That is to read the bill by titles; and I may say that, as the gentleman recognizes, that the agreement is made purely from the standpoint of those who might be opposed to the measure, to give them an absolutely fair chance to strike any title in this bill they desire, for without that agreement they would not have that opportunity.

Mr. SNELL. You do not mean to cut off debate after one amendment or anything of that kind?

Mr. WARREN. No, indeed.

Mr. SNELL. Ample time is going to be allowed for the consideration of individual amendments and debate on them?

Mr. WARREN. That is right, if we can read the bill by titles.

Mr. RAYBURN. It appears to me, let me say in further reply to the gentleman from New York, Mr. SNELL, and also the gentleman from New York, Mr. TABER, that in view of the committee's being willing to make this generous arrangement and with the assurance that debate on amendments is not going to be limited to any unreasonable degree, it does seem to me that 6 hours and an arrangement like that on amendments is a most liberal one.

Mr. BOILEAU. Mr. Speaker, reserving the right to object, I would like to make a further inquiry of the gentleman from Texas, the majority leader, and of the gentleman from North Carolina [Mr. WARREN].

The gentleman from Texas stated that it was the intention to ask to have this committee amendment read by title as an original bill, but the gentleman from North Carolina in expressing the intention of the committee did not express it in that way. He said that it was intended to read the committee amendment by titles. He said nothing about reading it as an original bill, and there is a mighty big difference. I submit to the gentleman that there will not be unanimous consent to read the bill by titles unless along with the request goes the provision that the amendment be read as an original bill, because I have an amendment I

desire to offer providing for approval by a joint resolution. I desire to offer this as a substitute for the committee proposal of a joint resolution, but the parliamentary situation is such that I would not be assured of an opportunity to offer it if the request be granted as stated by the gentleman from North Carolina.

Mr. WARREN. Mr. Speaker, just as I stated, it would give to the gentleman from Wisconsin the right to offer his amendment as a substitute to the committee amendment. That is what I am trying to give him an opportunity to do.

Mr. BOILEAU. I just wanted to have that clear. The gentleman from North Carolina suggested that the bill be read by titles. The gentleman from Texas suggested that it be read as an original bill. I insist if it is to be read by titles that the request carry with it the provision that it be read as an original bill.

Mr. RAYBURN. That is just what I stated.

Mr. BOILEAU. I merely want to have the matter clarified.

Mr. COCHRAN. That is the exact wording of a request I hold in my hand, that I intend to make when the time arrives.

Mr. BOILEAU. Why not have this matter decided now? Why not submit the request now?

Mr. RAYBURN. We do not want to have to give away everything and then be faced with an objection on something we want.

Mr. BOILEAU. I have no desire to object to that request. It is just a question of putting it in the RECORD.

Mr. PETTENGILL. Will the gentleman yield?

Mr. RAYBURN. I have the floor under a reservation of objection, but I yield to the gentleman.

Mr. PETTENGILL. May I ask the majority leader and the managers in charge of this bill if they have drafted the proposed amendments which they intend to offer and if they will print those amendments in the CONGRESSIONAL RECORD today so that the Members of Congress will know what we will have to debate when the bill is taken up under the 5-minute rule?

Mr. RAYBURN. That is a matter about which I have no information.

Mr. PETTENGILL. The gentleman from Missouri knows whether the proposed amendments have been drafted in a form satisfactory to the committee.

Mr. COCHRAN. The committee will have the amendments in plenty of time to let the House know what they are.

Mr. PETTENGILL. My objection will hinge on whether the amendments are going to be disclosed before the bill is taken up under the 5-minute rule.

Mr. COCHRAN. When the amendments are prepared we are perfectly willing to put them in the RECORD.

Mr. PETTENGILL. When does the gentleman expect to have them prepared?

Mr. COCHRAN. We are working on them right now.

Mr. MOTT. Mr. Speaker, reserving the right to object, may I say that I do not intend to consent to any such limitation of debate as has been suggested, namely, 6 hours.

Mr. RAYBURN. Mr. Speaker, I demand the regular order.

The SPEAKER. Does the gentleman from Missouri [Mr. COCHRAN] modify his request to provide for 6 hours general debate?

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the debate on this bill close in 6 hours, the time to be equally divided between the gentleman from Missouri [Mr. COCHRAN] and the gentleman from New York [Mr. TABER].

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RABAUT. Mr. Speaker, I object.

Mr. COCHRAN. Mr. Speaker, the gentleman from Michigan objected to my request. I now ask unanimous consent that the general debate on this bill close in 8 hours, one-half to be controlled by the gentleman from New York [Mr. TABER] and the other half by myself, the debate to be confined to the bill. I promise to recognize those opposed while

the gentleman from New York [Mr. TABER] likewise promises Members on the Democratic side liberal time.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TAYLOR of South Carolina. Mr. Speaker, reserving the right to object—

The regular order was demanded.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TAYLOR of South Carolina. Mr. Speaker, I object.

Mr. COCHRAN. Mr. Speaker, in the interest of orderly procedure and with the approval of the minority Members, I ask unanimous consent that the debate on this bill be equally divided between the gentleman from New York [Mr. TABER] and myself, general debate to be confined to the bill, and to continue without limitation of time for the present.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri [Mr. COCHRAN] that the House resolve itself into the Committee of the Whole.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331, with Mr. McCORMACK in the chair.

The Clerk read the title of the bill.

Mr. HEALEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HEALEY. I would like to know what the present status of the consideration of this bill is. Do I understand that we are to continue with debate for an unlimited time?

The CHAIRMAN. The Chair may say that the gentleman's understanding is correct, with the exception that in accordance with the unanimous-consent agreement the time is to be controlled by the gentleman from Missouri [Mr. COCHRAN] and the gentleman from New York [Mr. TABER].

Mr. HEALEY. Under that agreement, then, every Member of the House will be given full and ample time to discuss and debate the measure now under consideration?

The CHAIRMAN. No limitation has been placed upon the debate.

Mr. GRAY of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAY of Pennsylvania. Under that agreement, then, the Committee of the Whole may close debate on this measure any time; is that correct?

The CHAIRMAN. The Chair may say that the Committee of the Whole cannot close debate except by unanimous consent in the Committee of the Whole. Of course, a motion may be made that the Committee rise and have the Chairman report back to the House, which would enable the House to take any action desired in the matter, but in the Committee of the Whole debate cannot be closed except by unanimous consent.

Mr. STACK rose.

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania [Mr. STACK] rise?

Mr. STACK. Mr. Chairman, to propound a parliamentary inquiry or to make an observation.

The CHAIRMAN. The gentleman cannot make an observation at this time.

Mr. STACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STACK. This will be a repetition of what I have said to the gentleman from Massachusetts several times. When will a northern garden variety Democrat be recognized on this side of the House who happens to be opposed to this measure?

The CHAIRMAN. The gentleman, under the unanimous-consent agreement, will have to obtain time during the remainder of general debate from either the gentleman from Missouri [Mr. COCHRAN] or the gentleman from New York

[Mr. TABER]. When the bill is taken up under the 5-minute rule a different situation will exist.

Mr. STACK. What procedure are we moving under now—general debate?

The CHAIRMAN. We are proceeding under the rules of the House in general debate, with a unanimous-consent agreement to the effect that control of the time is by the gentleman from Missouri [Mr. COCHRAN] and the gentleman from New York [Mr. TABER].

Mr. STACK. Does the Chairman still have that discretionary power about which he has been speaking to recognize whomsoever he pleases?

The CHAIRMAN. The House has ordered the Chairman of the Committee of the Whole to recognize only Members to whom the gentleman from Missouri [Mr. COCHRAN] or the gentleman from New York [Mr. TABER] yields time.

Mr. STACK. I thank the Chairman.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Chairman, as a usual thing when I am debating any legislation on the floor of the House I am always perfectly willing to admit any interruptions, but the custom in the consideration of this proposed legislation seems to be for a man not to yield for interruptions until he has finished his final statement. Therefore, I trust I will not be interrupted, and at the end of my statement, if I have any time remaining, I shall be pleased to yield to any questions any gentleman desires to ask.

Thus far in the consideration of this bill only two reasons have been presented by the proponents of the legislation for considering it at this time. The two main considerations that have been presented are, first, that we are giving to the present Executive the same powers that were formerly given to a Republican President, and, second, that it is absolutely necessary for the majority to vote for the provisions of this bill in order to show there is no lack of confidence on the majority side in the present Chief Executive. These are the two outstanding reasons why the members of the majority have been asked to vote for this legislation.

I have been following the debate very carefully, and I believe the proponents of the bill have very meticulously refrained from discussing the actual provisions carried in the bill. The merits of the bill do not seem to be as important at this time as some other considerations.

I wish to discuss very carefully, if I can, what were the powers you conferred upon a Republican President and under what conditions he was able to exert those powers. You must get a little of the history of this matter actually to understand the provisions and the real reasons for the arguments that have been made on the floor of the House in connection with this legislation.

You gave to President Hoover the power to make certain recommendations for consolidations, and so forth, in the various executive departments and agencies, with a real, definite provision for a veto by the House of Representatives or the Senate. So there may be no mistake about it, let me read that provision of the legislation. I do not want anybody to take my word for it, and I hope you will listen to this:

Provided further, That if either branch of Congress within 60 such calendar days shall pass a resolution disapproving of such Executive order, or any part thereof, such Executive order shall become null and void to the extent of such disapproval.

That is the actual legislation under which the previous President was working. Notwithstanding this, there have been many newspaper statements, as well as statements that have been made in private and on the floor of the House, in which you have tried to convey the idea to and convince the American people that you were not asking any more under this legislation than was formerly given to a Republican President. Let us compare what you are asking in this legislation with the powers given a former President and your right to veto any recommendation he made. I am reading from your own bill.

You give the President power to—

Transfer or retransfer the whole or any part of any agency, or the functions thereof, to the jurisdiction and control of any other agency; or second, to regroup, coordinate, consolidate, reorganize, or segregate the whole or any part of any agency, or the functions thereof; or third, to abolish the whole or any part of any agency, or the functions thereof; and fourth, to prescribe the name and the functions of any agency affected by any such Executive order * * *.

That is the complete authority, with seven short definite exceptions. I want to be perfectly fair, and I want to put the exceptions right.

Mr. WARREN rose.

Mr. SNELL. I am not going to yield to the gentleman at this time, so he may just as well take his seat.

Mr. WARREN. I yielded to the gentleman from New York.

Mr. SNELL. Yes; and I will yield to the gentleman at the proper time. The gentleman challenged me, and I may get up enough courage to challenge the gentleman before I get through, but I do not know that I shall.

These are the exceptions to the blanket authority that is given the President under the bill you are considering at the present time. Nothing shall be construed to authorize the President to abolish any executive department or independent establishment, the municipal government of the District of Columbia, the Board of Governors of the Federal Reserve System, or the General Auditing Office, or to transfer to any other agency all of the functions of any executive department.

He cannot destroy the District of Columbia government or the Board of Governors of the Federal Reserve System, or regroup, coordinate, consolidate, or segregate the whole or any part of the Board of Governors of the Federal Reserve System, the General Accounting Office, or any independent establishment, or the functions of any of them. He cannot abolish the Engineer Corps or create or establish a new agency to exercise any functions which are not expressly authorized by law in force at the date of enactment of this act, or abolish or transfer to any other agency the functions of audit and settlement vested in the Bureau of the Budget.

There are the definite exceptions carried in this bill as presented to this House for your consideration.

Outside of these there are no exceptions, no limit to his power, or any veto or approval by either branch of Congress.

Notwithstanding the very far-reaching power of the present Executive, without any veto whatever by either House of Congress, the proponents of this bill have continually carried the word to the people of this country that they are not asking for any more authority than they had given to a previous Republican President; and I maintain, by the wording of the act itself, this is not a true statement of fact.

Now, there is another thing you ought to know to understand this picture fully. My good friend, the gentleman from North Carolina [Mr. WARREN], has boasted about the generosity of the Democratic majority when they gave this power to a Republican President. He even put the roll call in the RECORD to show the Democrats voted for it. If he had wanted to be absolutely fair, he would have also put in the RECORD the roll call where the same Democrats in effect took away the power they had so generously given a Republican President. Let me tell you that on the surface they gave him the power, but they reserved the right to veto every single act under that power, if it did not meet with their approval. There is another thing you must consider. When that power was given there was a Democratic House, and they knew it was purely an empty gift.

Now, they claim they were very generous and they were very much interested in a reorganization of the executive departments of the Government. Let us now see just how much real interest these gentlemen have. They gave this power to President Hoover early in June. While some claims have been made on the floor of the House that he was not active enough in trying to reorganize the departments and took too much time and delayed presenting his report, let

me say to you he made it immediately after Congress met in the following December, and the recommendations that President Hoover made in regard to the executive departments were the most thoroughly considered, most carefully looked into, and, in general, it was the best statement that has ever been made in connection with a definite reorganization of the executive departments of this Government.

Let us now see what you generous people did with these recommendations, you who claim to be so deeply interested in the reorganization of the executive departments. Your committee threw the recommendations of President Hoover out of the window without any public hearing or real consideration. You did not approve a single recommendation. Some of them must have been all right.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. SNELL. I prefer not to yield at the present time. There will be plenty of opportunity for the gentleman to refute any argument I may make, and the gentleman can do it in his own time.

Mr. COCHRAN. I will yield the gentleman 1 minute if he will yield.

Mr. SNELL. I do not propose to yield at the present time, and I have told the gentleman so.

Now, inasmuch as the Speaker himself has taken the floor to defend this legislation and show his interest in the reorganization of departments, let me call your attention to a statement he made when we had up this resolution to throw President Hoover's recommendations out the window:

In the first place, it is evident that these recommendations were somewhat hurriedly prepared and they were undertaken since the resolution of last June, and I am reliably informed that a number of the recommendations with reference to the consolidation of the departments and the transfer of activities were made without the representative of the President having even conferred at all with the chiefs of the bureaus or many of the departments affected.

One of the reasons you argue you want to give this power to the President of the United States is because you want to get away from internal arguments concerning the reorganization of the departments. This is the main reason you are presenting this legislation here, and the Speaker of this House, when we had up Mr. Hoover's recommendations, said that was a reason for throwing them out the window.

Let me now quote a little further from the same speech:

In the next place, the hearings before the committee disclosed that no practical economy whatever was guaranteed by the operation of these recommendations.

Let me say to the gentleman that the message which came to this House from President Hoover said there was very material advantage in these recommendations and a great saving to the Government.

Mr. TABER. Mr. Chairman, I yield the gentleman from New York 10 additional minutes.

Mr. SNELL. And you people yourselves do not claim there is any saving, and your own President said that necessarily there would not be any saving in this reorganization which he has recommended. In addition to that, I am willing to go on record that it will, to a very great degree, increase the cost of government when you set up a separate auditing department, and your very extensive welfare department.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SNELL. I prefer not to yield. I shall take time enough and cause enough trouble without that. As a matter of fact, therefore, you have not been as generous in your propositions or in your dealings with the former Executive as you have claimed to be at the present time.

Then, here is another thing. You were quite sure that the tide was running against us at that time, and that you would be the full recipient of the legislation that you would pass, because you did not think our President would ever make any recommendations, but he did make recommendations, and you deliberately threw them out of the window.

Another main argument in support of this bill is that the members of the majority must not show lack of confidence

in the President of the United States. I listened with much interest to the majority leader's speech. I know the majority leader well, and I have seen him in action on the floor of this House when he had the facts back of him, together with the arguments. He did not then resort to making fun of the propaganda that came into the House in regard to the legislation, and of the smallness of the Republican minority; he did not then resort to the cry, "You ought to support the President," but he had the facts in hand and he marshaled them and he marched down that aisle and presented them to the House, and the Members of the House knew when he got through what he was talking about. He had the arguments back of him to sustain the position that he took. I was surprised when he went so far as to sarcastically refer to the small Republican minority. Mr. Chairman, I have been in this House and the majority leader has been in this House when the Democrats did not have a much larger minority than the Republicans have at the present time. Conditions change. It is a long road that has no turning, and I think, in the not very far distance, I can see a little turning in the present road. You may not have quite so much braggadocio next session as you have at the present time. My father taught me when I was a young boy this little couplet:

Brag is a good dog but Hold Fast is better.

Mr. Chairman, the Republican minority is not very large, but as long as we are here we are going to hold fast to the tenets of the original Constitution of the United States and the preservation of American liberty. [Applause.]

The gentleman also made light of the propaganda. I want to know whether the time has come in this country when my constituents back in my district cannot communicate with me and tell me what their honest position is in connection with a piece of legislation before this House. I want some of the proponents of this bill to answer that in their own time. Gentlemen may look over the letters and telegrams that have come to my office, and I guarantee that no man will say that anything has come to me except letters honestly expressing the sentiments of the individual senders, and that sentiment in its entirety, except as to one postal card and one letter, is opposed to this legislation.

The majority leader made a great cry and ended up his statement about following the great President. Certainly no one on either side of the aisle would accuse me of not being an organization man. I am as much interested in working with the party and my leaders as any man could possibly be, and everyone here knows it; but in connection with that statement let me tell you that when the dictates of my honest conscience say that my leader is leading me in a wrong direction I shall not follow him. And that is the position that any honest legislator should take. All I ask of you in connection with this legislation is to vote your honest convictions.

To further get a plain understanding of the situation before the House, I think we should go back to the history of the Budget Act. The Budget bill was put through the Congress as a result of the best thought on both sides of the aisle. I remember very distinctly the strong speech made by the late Speaker Byrns in connection with the passage of that legislation, and if I remember correctly our present Speaker was a member of the special committee that brought that legislation to the floor of the House. When that legislation was passed by a very nearly unanimous vote, it was hailed by the people of the country, without exception as far as I know, as being the greatest advance in the control and reorganization of Federal finances of any step that had been taken in the past 50 years. The keystone of that whole arch was the power that we gave to the Comptroller General of the United States. There has been a great deal of misapprehension about that power. My good friend from Kentucky [Mr. Fred M. Vinson] very ingenuously, I think, not with the real assurance with which he generally presents an argument to this House, endeavored to make the people of the country believe that there is no material change proposed

in the authority given to the Comptroller General of the United States under this bill. There are two distinct changes, and those two changes destroy the power of the Comptroller General's office and his power to carry out his decisions.

The pending bill provides for the appointment of the Comptroller General by the President without term of office. From the experience we have already had with the present Chief Executive, if a man anywhere in the departments, regardless of whether the President has the power to fire him or not, does not see eye to eye with the President he has prompt notice that he is no longer wanted in his present position. If the provisions of the pending bill are carried into law, how long do you suppose a Comptroller General would occupy his office after he rendered a decision that was not exactly in accord with the wishes not only of this Chief Executive but, I will say, of any Chief Executive when the Chief Executive has the power to put him out? He would be fired the next morning, and you know it.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 additional minutes to the gentleman from New York.

Mr. SNELL. In addition, the bill contains a provision whereby the Attorney General of the United States can overrule the Comptroller General. As far as the law is concerned, the Attorney General of the United States has the final say, and without appeal. The gentleman can shake his head all he wants, but if I can read the English language that is what is in this bill.

Mr. FRED M. VINSON. Mr. Chairman, will the gentleman yield?

Mr. SNELL. I shall have to yield to the gentleman from Kentucky.

Mr. FRED M. VINSON. The gentleman is in error. The power of the Attorney General goes merely to the jurisdiction of the Comptroller General, and we expressly exclude the Attorney General from having any say in respect of the availability of appropriations, which is the main point involved in the power of the Comptroller General.

Mr. SNELL. I do not agree with the gentleman in regard to the importance of the power given the Attorney General over the Comptroller General. I maintain that by this bill you have clipped the wings of the Comptroller General by the power you have given to the Attorney General. The Comptroller General, under the pending bill, is greatly curtailed, for now he has absolute power, without interference by the Executive or anyone else, to carry out what he determines is the will of Congress, and he does not have it under your bill, and that is one reason why I am opposing it.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. SNELL. I yield.

Mr. TABER. The bill, on the top of page 48, carries this language:

The Attorney General of the United States shall render opinions as to the jurisdiction and authority of the General Accounting Office.

Mr. SNELL. That is just what I said. It definitely clips the wings of the Comptroller General; and no one in this House knows it better than my friends from Kentucky and North Carolina.

Just a word now about the civil service. When you put one man in complete control of this whole civil service and directly responsible to the President, you have gone back 50 years in the civil-service procedure in this country. The Government employees were a great many years trying to get something through that would protect them in their tenure of office. The Civil Service Commission was created, and as far as possible it was set up as a bipartisan commission. To a certain extent the employees did have protection, and in various laws that followed they were pretty well taken care of, and you want to destroy it and go back to a spoils system. You have, however, given another very vast power to the President of the United States, the power to transfer bodily some 300,000—I will not say "deserving Democrats" but purely political employees—into the civil service for life. I oppose giving that power to anyone. Also,

the President can remove people from civil service if he sees fit and replace them by others by Executive order. I think the ultimate result will be largely to destroy the civil service.

I want now to consider this whole proposition from the standpoint of concentration of power and the transfer of legislative duties to the Executive. Every man on the floor of this House has condemned that, but notwithstanding it, during the last 5 years every piece of legislation by the present majority has tended in the direction of giving additional power to the Chief Executive. Step by step we are following exactly the same line of procedure that is being followed by some other countries across the water today that have dictatorships. We are following in that line. I do not know when we are going to stop. You have already as consistently and as definitely as possible, step by step, done it as far as we have gone. You have given the President unlimited and uncontrolled power over appropriations; and now, if you give him power to set up an uncontrolled and unlimited permanent department of welfare to dole out billions of dollars for relief and every other demand that comes to Washington, you have not only shamelessly violated your legislative duties but you are knowingly and willingly destroying the power and independence of the legislative branch of this Government.

On this matter of the concentration of power and its evils, let me quote what your own President said when he was Governor of the State of New York. I want you to listen to this very carefully, because this is what your own President said, and may have some influence:

On the one hand, you have the right to allow the drifting to consolidation and centralization of government to continue. If you do this you do so with your eyes open to the fact that it is not a new experiment, that it may work, but that no stages of the world's history give examples where it has worked. Every previous great concentration of power has been followed by some form of great disaster.

That is the warning of your own President; still you come here today insisting on following in the line of disaster that he himself warns you against. Now I want to consider this bill from just one more angle, and I will stop.

Even if this bill was all right and ought to be passed, I maintain that this is no time to pass a bill of this character. Nothing should be done to more directly raise the issue of further concentration of power in Washington.

Mr. Chairman, we are in the midst of the greatest depression this country has ever known. It is worse than 1932, the one you have talked about so much. We have not only gone back to 1932 but we have gone beyond. We have increased our national debt by over \$15,000,000,000 and at the same time you are collecting the largest taxes that have ever been collected in the peacetime history of the country. The resources and credit of nearly every State and municipality are about depleted and we are in no shape to stand a continued deep-seated depression such as we have at the present time.

In the last 6 months we have wiped off \$50,000,000,000 from the values of the people's resources. Your national debt is increasing by leaps and bounds. From present indications it will be \$42,000,000,000 to \$44,000,000,000 before the year 1940.

Business has lost its courage. The people of this country have lost hope and they are looking to you now for relief. We have been in session for 5 months. What have we done?

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. SNELL. Mr. Chairman, we have not done a single thing nor have we made a real move to encourage the honest businessmen, big or small. We are frittering away our time by trying to lodge more authority in the Executive at Washington, which every man here knows in his own heart the people of this country do not approve and I think we are making a very, very serious mistake.

There are at the present time 12,000,000 people out of employment. If you want to increase that number in the next 2 or 3 months to fourteen or fifteen million, if you want

to perpetuate the intensity of the present panic, just pass this bill and you will pretty nearly crush the last hope of the American people so far as relief to business is concerned.

Mr. Chairman, we have operated for the last 150 years under a constitutional republican form of government by a system of checks and balances. We have consistently maintained the independence and the constitutional rights of the legislative, the executive, and the judicial branches of the Government. Has anyone advanced a reason for abandoning that plan? Do your constituents want you to abdicate the power you have taken an oath to protect? Can you go back home and say, "I preferred to support the President rather than the merits of the legislation that you people back home are so deeply interested in."

Mr. Chairman, I ask the Members here today to consider carefully all of the fundamental questions that are presented by this legislation. I only ask them to consider the merits of the legislation as it affects the American people, and as far as I am concerned, I may say to the Members of the House and to the people of the country that I am going to continue to fight, and I do not think I am going to be barefooted or alone either in that fight. I am just as sure as I stand here that the conscience, the heart, and the soul of the American people are back of me and we are going to win. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I asked the gentleman from New York [Mr. SNELL] to yield to me when he made the statement in reference to the Executive order sent to the Congress by ex-President Hoover. The gentleman from New York stated no hearings were held by the committee. I happened to have been chairman of the committee at the time and the committee did hold hearings on the Executive order.

Mr. J. C. Roop, who was then Director of the Budget, was sent to the committee by President Hoover. Bear in mind that the people of this country had voted in November 1932, and had retired Mr. Hoover to private life. It was in December 1932, a month thereafter, that Mr. Hoover sent his recommendation to the Congress, which involved 58 Government agencies.

What happened? Ninety percent of the Members of this House, Democrats and Republicans alike, demanded that the committee bring in a resolution, first, because the President had sent down an Executive order that took the work that had been performed for 100 years by the engineers of the Army, the rivers and harbors and flood-control work, away from the Army engineers and turned it over to civilians in the Department of the Interior. Mr. Hoover had recommended that once before but the bill never was voted out of committee.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, Mr. Roop, Director of the Budget under Mr. Hoover, said to the committee in plain language,

In my opinion it would be a mistake to put the Executive order of President Hoover into effect.

There was Mr. Hoover's own representative saying when Mr. Hoover was still President it would be a mistake to carry out his order. Mr. Roop was invited to send anyone he desired to the committee to be heard in support of the President's recommendation. He did not send one individual.

The gentleman from South Dakota, Mr. Williamson, ranking Republican member of the committee, was the only other member who spoke before the committee in favor of the Executive order. If I am not mistaken, Mr. Williamson himself did not approve that part of the Executive order that had to do with rivers and harbors and flood-control work.

The chairmen of many major committees in the House of Representatives appeared before our committee and stated they were talking for the minority as well as the majority Members in opposing the resolution. Mr. Chairman, I simply desire the RECORD to show that the gentleman from New York [Mr. SNELL] is in error when he says hearings were not

held, as he was in error in regard to many statements that he made concerning the bill during his speech. [Applause.] [Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, in the brief time at my disposal I shall not speak of the many features of this bill objectionable to me, but it is my purpose, rather, to discuss a fundamental principle which forms the basis of my objection to the enactment of this measure. In my opinion, this matter of reorganization is distinctly a legislative and not an executive function.

Let me say at the outset that I have not been subjected to or influenced by the organized propaganda concerning which we have heard so much in this debate.

I regret the personal references which have been injected into the discussion. In my judgment, they have no place in it. The proper consideration of this bill does not involve friendship or lack of friendship for anyone. Some of the dearest friends I have on earth now serve in this body and favor the passage of this bill, but I am sure their affection for me will not be diminished one whit by reason of the fact that in all honesty I hold opinions different from theirs with reference to this measure. This is in no way personal. It is a matter, rather, of preserving and maintaining the American system of constitutional government as given us by the fathers. [Applause.]

Because of this fundamental opposition to the measure it is relatively immaterial to me what amendments may be adopted because I believe that in essence the bill is in error.

May I call attention in this connection to the fact that, regardless of clarifying or helpful amendments which may be adopted there is a great possibility that this bill may come back to us on a conference report which will have to be voted either up or down.

Mr. Chairman, I am a firm believer in the sound principles of representative government enunciated by those who founded this Republic. I believe the maintenance and the perpetuity of this Government depend upon the fidelity of our adherence to those principles. I think you will find it a very interesting study if you will turn to the Constitution of the United States and consider the amendments to it which have been adopted—with the exception of the first ten known as the Bill of Rights, which were practically a part of the original instrument—and see in how few instances through 150 years, if, indeed, in any instance at all, the principles upon which this Government was founded have been modified by the people in the proposals submitted to them. That organic law of ours outlines a system of checks and balances, with the powers of the three coordinate branches of our Government rather well defined. I believe our strength is to be found in the maintenance of those checks and balances and in the integrity of those three coordinate branches.

It has been stated many times in this debate that the Congress of the United States is powerless to effect the necessary reorganization of governmental agents and agencies. I am entirely unwilling to confess such impotency on the part of the Congress of the United States. It is equivalent to ascribing impotency to the people of the United States in their capacity to govern, because we of the Congress are the sole representatives of the people, directly selected by them. Has it ever occurred to you that the people of your district have the direct selection of only one public servant in the Federal Government out of approximately a million who are now serving? You are the lone one they can select. They have a voice in the selection of their two Senators, but the Representatives in this body from the respective districts are the only public servants whom the people of those districts absolutely choose. I do not believe we as the Representatives of those people should be confessing our impotency to handle the problems which so directly affect them. [Applause.]

I believe that under our present laws, the Constitution and the statutes, there is ample opportunity for proper

reorganization of this Government. There are well-defined duties imposed upon the President. There are well-defined duties imposed upon the Congress. It is the duty of the President to keep the Congress as representatives of the people advised as to the state of the Union, and certainly a necessary function of that authority is to be found in advising the Congress of duplications of effort and expenditure in the various departments. Then, it is our duty to make the proper and the necessary corrections. We created these executive departments as representatives of the people. I think it hardly becomes us to say that the children have become so large and so unruly their parents can no longer handle them, and that we must look to some other source and call in some other power to manage our own family affairs.

It is a big job to reorganize this Government properly. It is a job which cannot be done in the twinkling of an eye. If we say we are too busy to do it, should we then delegate that authority to the President, for every assumption is that he is a busier man than we are? The suggestions he could make to the Congress, it seems to me, would necessarily be predicated very largely upon investigations which could be made among the executive departments as to what should be done. The same authority is in the Congress to make such investigations. The President may make them, and the President may then recommend to this body what should be done with reference to the correction of undesirable conditions, and if his recommendations are sound, I believe the representatives of the people may be depended upon to make the necessary and the proper changes. It has been done.

I think perhaps it can best be done piecemeal in order that it may be done thoroughly. As I recall, it was upon Executive recommendation that the Pension Bureau was transferred to the Veterans' Administration. I believe upon a similar recommendation the powers of litigation in the Veterans' Administration were transferred to the Department of Justice. If this investigation is undertaken upon a sound basis and recommendations made piecemeal to you as the representatives of the people, I feel sure the Congress can be depended upon to make the necessary and proper changes.

It has been conceded all through this debate that the enactment of this reorganization bill will result in no economy. Certainly one of the primary purposes of reorganization is to effect economy.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. If you are going to avoid duplication of effort by the abolishment or the consolidation of bureaus, necessarily you are going to diminish expenditures.

The idea of economy is inherent in the very thought of reorganization, and yet some Members of this body, well versed in the financial affairs of this Government, have brought it to our attention that the proposals of this bill, on the contrary, would very greatly increase the expenditures of this Government which are now so great that we are borrowing, as I have heard it said here and not disputed, approximately \$1,000,000,000 annually to pay the interest on what we already owe. A billion dollars a year, Mr. Chairman, 30 years ago was sufficient to run this Government in all its ramifications, and it does not seem to me that we should be increasing this enormous expenditure, which will come in lieu of the economy this measure should provide, by adding to the burden of the people upon the unsound financial policy, individual or national, of borrowing great sums to pay interest.

Now, just one word in conclusion. A great deal has been said about the psychology of this measure, and that appeals to me because I am primarily and essentially an American. You know and I know that within our borders today are the agents of various foreign governments spreading their spurious "isms" and trying in every way they can to break down this system which the forefathers gave us. If I am not mis-

taken, George Washington in his Farewell Address said that the time would come in this country when there would be those who would seek to undermine what they could not overthrow. I fear the effect of this measure would be to undermine this system of the three pillars of the coordinate branches of our Government, and that continued undermining might lead eventually to the destruction of this Republic. I think today, in this matter which can well be deferred, even if wise, in view of the fact that it involves no economy, we owe a duty to give assurance to the people of this land that we who are their representatives here will take no step that could even be interpreted as fostering the spread of those spurious "isms" from abroad which seek the destruction of this Nation of ours. [Applause.]

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. STACK].

Mr. STACK. Mr. Chairman, most of my colleagues here in the House know I go to my district every week end, and accordingly I arrived home late last Saturday night. I was tired and a little nervous from the activity here in the House during the past week, and, after a good night's rest, I arose bright and fresh Sunday morning. As is my custom, I went to 10 o'clock church. I sat in the rear of the church and had forgotten for the time being that I was a Congressman and was more or less engaged in consideration of things not mundane. The priest read the Gospel and ascended the pulpit to address his flock and give the program for the following week. Honestly, let me tell you that I was not paying strict attention to him when, lo and behold, I was aroused by the sound of someone talking about constitutional rights—who was the Government, and so forth. I thought I was sitting in the Halls of Congress listening to my good friend, Brother EARN, who so well and ably represents his New Jersey district. No; I was not listening to Brother EARN. I was listening to that young clergyman on Sunday morning deliver as fine an address against this reorganization bill, without, of course, mentioning the name of the bill or having any intention of discussing politics, but just trying to tell his people what God-given rights they had and for God's sake to hold on to them. [Applause.]

Needless to tell you, my colleagues of the House, a sense of complete satisfaction for my recent actions here on the floor of the House overwhelmed me. I left my place in the church, after the services were over, and immediately proceeded to the sacristy, where I met the young clergyman for the first time and congratulated him.

I think, Mr. Chairman, it will be a contribution to this committee if I describe for you in detail my district, the Sixth of Pennsylvania, in the western end of Philadelphia County. It is as good a yardstick as any district in the United States for my purpose of proving that the opposition to this bill does not come from any particular class, but from Americans, representative Americans. In my district live the Jew and the gentile, the Catholic and the Protestant, the white and the black—all with equal rights, as I see it. There are in the neighborhood of a half million people in my district, and the registered vote is in the neighborhood of 150,000, with the Republican Party having an edge on the Democratic Party of a little more or less than 2 to 1.

To the southwest of my district is the district so well and ably represented by my distinguished friend and colleague from Delaware County, Congressman WOLFENDEN, who, incidentally, has many friends in West Philadelphia. At the northwestern end of my district is the district also well and ably represented by my distinguished friend from Ambler, Congressman DITTR, who, too, has many friends in West Philadelphia. Finally, the eastern end of my district abuts the Second Congressional District, so well and ably represented, it goes without saying, by my distinguished friend and colleague, Congressman McGRANERY, who has many friends in my district, including the Honorable Thomas A. Logue, secretary of internal affairs of the State of Pennsylvania, and Judge McDevitt, of the minor judiciary. There are several posts of the American Legion, the Veterans of Foreign Wars, and the Irish War Veterans of the United

States in my district. The Honorable Harry A. Mackay, the former Republican mayor, lives in my district. High church prelates of all denominations and judges of the different courts of Philadelphia County, bankers, businessmen, small and large, live in my district, together with the rank and file, the common folk, of which, I am proud to say, I am still one.

Now I think we have a fair cross section in my district of what every other district of the United States is like; and right here and now I want to tell you honestly and truthfully as a Representative who lives, walks, talks, and breathes with my constituents, and who feels that I know the pulse beat of my district, I am satisfied that they do not want this reorganization bill in any form passed, at least at this time.

I am saying this and believing this and advocating the killing of this bill, when I know it is not popular to disagree with the President, when I know it is not expedient to get in wrong with "Keystone Joe," who has endorsed a C. I. O. candidate against me back home. [Laughter and applause.] Oh, I know it is not the part of political prudence for me, an old country Irishman, the son of a Confederate veteran, the brother of a Spanish-American War veteran, and himself a wounded veteran of the late war, having fought it out over there, to be against the State organization back home, who also have a candidate endorsed against me, and who went into my own parish, my own church, my own neighborhood, to get one; but I am used to opposition and, as a matter of fact, I thrive on it, for as they might say in French, "Qui mange du Stack en crève." [Laughter.]

"Keystone Joe" and the State organization are battling one another politically back home. All factions back home in the Democratic Party are apparently for this measure, and, incidentally, both factions have given their political blessing to two opponents against me back home; and if this bill is passed down here in the Halls of Congress, I do not think the Democratic Party in Pennsylvania has any more of a chance of surviving than a snowball has in Hades.

I am not looking for any sympathy in the Halls of Congress. I am going to be renominated May 17 and reelected in November, the opposition of Keystone Joe and the State organization notwithstanding. [Applause.]

Mr. Chairman, I am pleading with the leaders of my party, the party of which one of Davey Stern's hirelings up here in the press gallery called me a renegade; I am pleading, I say, with you and with the President for God's sake not to sacrifice, not to penalize these fine Democratic Congressmen in the House who are up for reelection by asking them to vote for this bill. Please do not put a cross on these Congressmen that they cannot carry; please do not make their road and way any harder.

I have some friends here in the House from all over the country and particularly from my own State that I would like to see returned to Congress because of their experience and ability, but if they have any part of this vicious legislation tagged on to them I am afraid the people will resent it so much that they will not know that they were even running next November. At least that is my conviction, and I am willing to stand or fall on it. Whether this legislation is bad or good is a moot question, but the fact nevertheless remains that the people in your district and my district are afraid of it. They fear it; fear for their country; fear that their liberty that was born, nourished, and reared in the old state-house down at Fifth and Chestnut Streets in the great City of Brotherly Love will be taken away from them. They are afraid that their liberty, that their freedom that George Washington and his little patriots suffered untold tortures on Valley Forge for will be lost.

My good friend SAM RAYBURN, and I want him to know that I mean that, was rushed to the radio last night as a shock troop to save this crumbling bill. He said last night over the radio that the opposition to this bill was "the outcry organized by organizations hostile to the Roosevelt Administration."

I resent that aspersion cast on my people back home; I resent that for the Democrats in my district. I resent that

for the some forty-odd thousand Republicans who voted for me and Roosevelt in my district because in my district, despite the opposition of the State Democratic organization, to me personally, Roosevelt and myself, last November a year ago, got one of the largest, if not the largest majority in the State and, incidentally I beat him by 300 votes in one of my own wards, and, as I said before, it is almost 2 to 1 Republican. [Applause.]

Further down in this press report of what my good friend SAM RAYBURN had to say last night we read:

However, the bill will pass Congress as soon as we can get it to a vote. The conference committee between the two Houses will whip it into shape.

Oh, my dear friends of the House, therein lies the strategy. Therein lies what the leaders of my party think of this bill. It is well and truly written in the Good Book: "Out of Hades there is no redemption." If you ask me what I think of the conference committee: "He who enters here leaves all hope behind." My recollections of conference reports is that the House invariably yields to the Senate, or in the words of the street "takes it on the neck." [Applause.]

My good friend SAM RAYBURN said over the radio last night that hostile organizations against Roosevelt are against this bill. All that I know that are for the bill in my district are the C. I. O.—nuf said—and chiefly political job holders; while on the other hand the doctor and the dentist, the minister and the priest, the veteran in general and the businessman in general are for it.

Of the four great newspapers in Philadelphia, three are against it editorially and incidentally I am going to insert some of the editorials in the Record. The Philadelphia Evening Bulletin and the Philadelphia Morning Inquirer, while the Philadelphia Record, sometimes referred to by me here in the Halls of Congress, as that communistic sheet, edited and owned by Davy Stern, is for the bill and incidentally—I want you to listen to this—only last Sunday in one of the great churches in my district, I am reliably informed, admonition came from the altar to the faithful not to read the Philadelphia Record and if they had subscribed to it to cancel their subscriptions saying at the same time, that the paper was not fit to be read in any Christian home and, my good friend, that's the only sheet in Philadelphia that's for this nefarious bill. [Laughter.]

I am so convinced the people in my district, and as I said before my district is a yardstick for every district in the United States, don't want any part of this legislation that I would be tickled to death to run on this issue and this issue alone next November and have as my opponent none other than the President of the United States. I would not say a word, I would let him do all the talking. I would just let the people vote for me. [Laughter and applause.]

Mr. McGRANERY. Mr. Chairman, will the gentleman yield?

Mr. STACK. Gladly, to my distinguished friend from Philadelphia.

Mr. McGRANERY. The distinguished gentleman made a reference to the fact that the Honorable Thomas A. Logue, secretary of internal affairs of Pennsylvania, resides in his district, I do not gather, however, that the distinguished gentleman meant to infer that Mr. Logue is opposed to the reorganization bill?

Mr. STACK. I have not consulted him lately, Jim. My reason for mentioning his name was to try, in my crude way, possibly, to let the people here in the Halls of Congress know what type of people live in my district. [Applause.]

Mr. McGRANERY. I may say to the gentleman that I have talked to Mr. Logue, and, as the gentleman has said, he is a very good friend of mine, and Mr. Logue is heartily in favor of the adoption of the reorganization bill.

Mr. STACK. I would not expect anything else. [Laughter and applause.]

Now, Jim, you know I do not want to bring Philadelphia politics in here. Lord knows, we are bad enough down here without getting that up here. [Laughter.] You can give a more vivid description, and, possibly, in better language

than I can, of what they are doing back home now. You know about it just as well as I do.

Mr. GRAY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. STACK. Yes; gladly to a Democrat from Pennsylvania.

Mr. GRAY of Pennsylvania. The distinguished speaker knows, Mr. Chairman, it would not be good for the morals of this House to have Philadelphia politics aired in this Chamber.

Mr. STACK. Oh, I am perfectly convinced of that. [Laughter.]

Mr. SWEENEY. Mr. Chairman, will the gentleman yield?

Mr. STACK. Gladly.

Mr. SWEENEY. The gentleman comes from Philadelphia?

Mr. STACK. Yes, sir.

Mr. SWEENEY. The City of Brotherly Love?

Mr. STACK. Yes, sir.

Mr. SWEENEY. The repository of the Liberty Bell. Does not the gentleman think if we pass this nefarious, as the gentleman called it, reorganization bill we are going to put another crack in the Liberty Bell?

Mr. STACK. Well, I think from fear the bill will be passed the present crack has been enlarged. [Laughter and applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. SIROVICH].

The CHAIRMAN. The gentleman from New York [Mr. SIROVICH] is recognized for 20 minutes.

Mr. SIROVICH. Mr. Chairman, as one of the few Members of the House of Representatives who is a physician and surgeon by profession, I intend to place the reorganization bill, which we are now discussing, on the dissection table of the House and to analyze, under the microscope of reason, the fundamental facts that should be called to your attention, from a dispassionate and unemotional standpoint, relying upon judgment and reason to illuminate my thoughts as I present them to you.

Mr. Chairman, the House bill which is absolutely different from the Senate bill, embodies five fundamental recommendations:

First. It authorizes the President of the United States to appoint not to exceed six administrative assistants and to fix the compensation of each at a rate of not more than \$10,000 per annum. Each administrative assistant shall perform such duties as the President may prescribe. This enlargement of the staff of the White House would enable the President to have a sufficient group of competent assistants to aid him in securing information necessary to the conduct of his office with dignity and respect for that distinguished position. I am sure no fair-minded citizen of our Republic would object to these additions to the President's staff.

Second. The reorganization bill provides an opportunity for the development of the merit system by perfecting it upward, downward, and outward, to enable men and women to consecrate their lives as career workers in the civil-service branch of the Government of the United States and to know that their life work will be safeguarded so long as they render loyal and faithful service to the people of our country. The fundamental change that this civil-service feature provides is the appointment of an administrator who will be named by the President for 15 years. As ranking member of the Civil Service Committee of the House of Representatives, with my wide experience on this subject for a period of over 12 years, I personally believe honest differences of opinion may arise on this subject. Some people believe that it is far better to have one administrator than three who are appointed for 4 years. They contend that one named for 15 years would be immune from political contamination. Let us not forget, however, that the President of the United States has the executive right to remove at any time either the administrator whom he names for 15 years, or the bipartisan board which he names for 4 years. Since this feature of the bill has many proponents and opponents, the distinguished chairman of the

Civil Service Committee of the House, my good friend ROBERT RAMSPECK, will offer an amendment to maintain the bipartisan board as it is constituted today. It is the privilege of every Member of the House to vote for either an administrator with 15 years' tenure of office, or a bipartisan board for 4 years. Should a majority of the membership of this House vote for a single administrator, I think we should incorporate in the bill a provision calling for the appointment by the President of a civil service court of appeals, to which any of the workers now serving our Government can appeal for justice against any act of arbitrary, autocratic, or unjust discrimination.

This civil-service court of appeals should be independent of politics and should be composed of one judge representing the Government of the United States, one representing the unions with which the working people are affiliated, and the third member to represent the retired workers who will be the spirit of the merit system of the civil service of our Nation. Surely no individual will contend that there is anything revolutionary in these recommendations. Lastly, this civil-service section embraces a feature blanketing in through noncompetitive civil-service examination thousands of men and women working in the different agencies of the Government. Grover Cleveland first started the civil-service system away back in 1883, and every President of the United States who has succeeded him, Benjamin Harrison, McKinley, Theodore Roosevelt, Taft, Woodrow Wilson, Harding, Coolidge, and Hoover, has uniformly followed the precedent of blanketing in every new agency created by the Government through noncompetitive civil-service examination, so as to protect the merit system. This traditional policy and principle is what the committee has recommended for the agencies that have been made permanent to serve the best interests of our people so as to attract men and women of fine character, education, culture, and learning in the career service, to serve our Republic.

Third. Mr. Chairman, let us examine the fundamental feature that embraces the third provision of the reorganization bill which gives an opportunity for the creation of a general welfare department that will look after the welfare of the people of the United States. Section 8 of the Constitution provides for the "general welfare of the United States." This department will carry into fruition and realization the principles involved in "general welfare."

The general welfare department will be composed of 26 existing welfare agencies that are today operating as independent departments, each overlapping the other. No new offices or personnel will be created. No new divisions will be formed. These 26 existing agencies will all be put into one department called the general welfare department, with a Secretary in the Cabinet of the President. It does not add one additional division that does not exist today, according to law. This general welfare department is found in most of the civilized nations of the world and in many of the most progressive States of the Union. Surely no self-respecting man or woman who loves his country and institutions would contend that the destinies of our Nation would be destroyed by enacting into law the general welfare department whose work is today disseminated in 26 different agencies, each independent of the other, so that their work could be harmonized to cooperate together in unison and one accord to bring about the happiness of the people that the general welfare department would serve.

The department of general welfare would then have under its complete jurisdiction such agencies as the promotion of public health, safety, sanitation, old-age pensions, unemployment insurance, maternal aid, child welfare, workingmen's compensation, assistance to the blind, crippled, and paralyzed, protection of the consumer. However, the President of the United States has agreed to eliminate from this welfare department, education, and leave it with the Department of the Interior where it has been operating all these years. This would please the members of the Catholic Church of our country, for whom we all have the greatest admiration and respect, and it would be instrumental in

permitting the parents of the children to educate them without any dictatorial supervision from those who run the educational department of our country.

Fourth. Mr. Chairman, the fourth part of this bill embraces the principle known as reorganization. This section of the bill proposes to reorganize 133 existing independent agencies, administrations, authorities, boards, commissions, and semigovernmental corporations which overlap each other and place them by Executive order within one or the other of the following 12 major executive departments: State, Treasury, War, Justice, Post Office, Navy, Conservation, Agriculture, Commerce, Labor, Public Welfare, and Public Works. The reorganization of these 133 independent existing agencies of our Government would be instrumental in bringing about greater efficiency in service and economy in expenditures and remove obsolete and obsolescent agencies of the Government that serve no useful purpose and thereby save the taxpayers of our Nation millions of dollars annually.

The principles involved in the reorganization of these 133 independent agencies have been repeatedly recommended and approved by every President of the United States within the last generation, such as Theodore Roosevelt, William Howard Taft, Woodrow Wilson, Warren Harding, Calvin Coolidge, and Herbert Hoover. When the President will have reorganized these 133 agencies into 12 different departments of the Government, before the change can be enacted into law, the Congress of the United States must approve this reorganization within 60 calendar days, through a concurrent resolution of the House and Senate that is not subject to veto by the President of the United States, to which President Roosevelt has solemnly promised to adhere. This check of disapproval by the Congress of the United States on the reorganization of the President can correct any injustice that the President might inadvertently perform, and be rectified by the Congress of the United States. Congress has therefore reserved unto itself the right to veto any unjust, unfair reorganization.

Mr. GRAY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SIROVICH. I respectfully request the gentleman to desist from interrogating me now as I desire to present my thoughts in sequential order. When I have concluded if I have the time, I shall be pleased to yield to any Member of the House as I have always done in the past.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 10 additional minutes.

Fifth. Mr. Chairman, now we come to the fifth and last principle involved in the reorganization bill, which, in my humble opinion, is the most controversial. That is the office of the Comptroller General. About this official and his department the greatest confusion and misconception prevail amongst the Members of Congress, as well as the people of the United States. To intelligently understand the duties and functions of the Comptroller General I shall seek your kind indulgence so I may present to you the historical evolution of that agent since the foundation of our Government.

In the Constitutional Convention held in Philadelphia away back in 1788 a great debate took place which revolved around the subject of who should control the expenditure of public funds. Col. George Mason, the brilliant and gifted son of the Old Dominion, Virginia, contended that public funds belonged to the people and that Congress as the chosen representative of the people had the right to name and control the officials charged with the expenditure of public moneys. After a lengthy debate in that Constitutional Convention the majority of those present voted that Congress is only a legislative body and should have the right to vote the appropriations, but that the executive branch of the Government should have the right to disburse them. During the first session of the Congress of the United States in 1790 that eminent son of Virginia, James Madison, who was the author of the Constitution of the United States, and who at that time was a Member of the House of Representatives, offered an amendment to give the Comptroller of the Treasury a

definite tenure of office, which would make it impossible for a President of the United States, the Chief Executive of the Nation, to remove him. Madison claimed that the duties of the Comptroller of the Treasury, who had charge of the public funds, was a quasi-judicial position, as well as a member of the executive department of the Government. When the vote was counted, Madison was defeated because several distinguished Members of that Congress contended that there was no distinction between the Comptroller of the Treasury and any other executive official, and if this legislation of Madison were enacted into law, the legislative branch of the Government might overthrow the executive power. The amendment was beaten, and Madison withdrew his motion the following day.

These two contentions of our forebears who wrote and drafted the Constitution of the United States show that they meant that the legislative branch of the Government should appropriate the funds and the executive branch of the Government should be charged with its disbursement.

Mr. Chairman, for a period of 105 years no legislation was enacted into law that changed the functioning of the executive branch of the Government so far as the disbursement of money was concerned. During all these years no individual ever challenged the complete control of the Chief Executive of the United States in the expenditure of public funds.

No one ever hurled the epithet that the President of the United States, in exercising his constitutional right, was a dictator.

In 1894 an act known as the Dockery bill was passed. The Dockery bill provided for the appointment of six new auditors, who should have the right for the first time in the history of Congress to give advance decisions as to the interpretations of legislation, to preaudit all money appropriated, and, third, to give opinions regarding the availability of appropriations which became mandatory upon the Treasury Department of the United States and every other agency of the Government. That was the first change that took place in an endeavor to make a beginning to audit and study the expenditure of the public funds of the Government of the United States.

In 1919, after billions of dollars had been spent during the World War, it remained for the greatest exponent of democracy, Woodrow Wilson, to call the attention of the people of the United States to the fact that Congress had never had an independent audit of its expenditures since the foundation of our Republic. Congress appropriated billions of dollars but had never had a report on how the money was spent. It did not know whether the money was spent legally or illegally, lawfully or unlawfully, honestly or dishonestly. Woodrow Wilson had a bill introduced in the Congress, which was passed, to give him the right to appoint a Comptroller General, whose duty it was to preaudit, to give advance decisions, to discuss the availability of appropriations, to pay the obligations incurred in the settlement of claims, and to prescribe a uniform system of reports, in which vouchers and accounts should be submitted to the General Accounting Office.

The Congress passed that bill, but in passing that legislation it put in a provision that the Comptroller General cannot be removed by the President of the United States. Woodrow Wilson vetoed that bill on the ground that it was a usurpation of an Executive right in that the Constitution provided that when the President appoints an individual to public office he has the right to remove him. It was on that basis the bill was disapproved. In 1921 we come to the next step, and please pay attention to what follows from now on.

The Republican Party had elected Warren Harding President of the United States. Practically the same bill that Woodrow Wilson had vetoed was again introduced. This bill was passed in 1921 with only three Members of the whole House voting against it. This bill created the Comptroller General with a General Accounting Office independent of the President of the United States, giving it the right to preaudit, to give advance decisions, render opinions upon the availability of appropriations, the right to settle claims and accounts, and the privilege of prescribing and having a standard

of forms upon which all claims are submitted to the General Accounting Office and the right of postauditing every voucher that appertains to the expenditure of public funds.

The bill provided that the Comptroller General shall be appointed for 15 years, that he shall not be subject to removal by the President, but subject to removal by a concurrent resolution of the House and Senate, or by impeachment for malfeasance or misfeasance or high crimes and misdemeanors.

From 1921 to 1936 the Comptroller General of the United States was General McCarl. In the 15 years he was Comptroller General no independent audit was ever furnished or submitted to the Congress of the United States. As a matter of fact, no independent audit of the money spent by the Government of the United States from 1789 to 1937 has ever been furnished the Congress of the United States. In the 15 years that the distinguished gentleman presided as the watchdog of the Treasury he became, in my opinion, and I have studied the question carefully, the greatest dictator this Nation has ever known. For the first time a super-President and a super-Government was formed. For the first time in the history of our Nation we created a Frankenstein, who challenged not only the Executive but the legislative department by his own interpretations. The Comptroller General was responsible only to himself. He hamstringed the departments of the Government that were given discretionary rights by the Congress of the United States. He misinterpreted congressional legislation to please and suit himself. Very often Cabinet officers and heads of departments as well as chiefs of independent agencies had to appeal to the Attorney General to secure redress. But the Comptroller General never reported to the Congress of the United States any of the mistakes he made and never submitted an independent audit to the Congress of the United States in all the 15 years he was Comptroller General.

Mr. Chairman, when Nicholas Murray Butler, the president of Columbia University, my beloved old college president for whom I have the highest regard and affection, appeared before the Senate in 1921 on this Comptroller General auditing bill, he said in substance that a comptroller general should be one whose main function and duty shall consist in going over payments before they are made and to ascertain their legality, while an auditor general should be one who should pass on payments after they have been made and study them not only as to their legality but as to their wisdom and honesty and report back to Congress. He contended that the purpose of this legislation was to provide an independent audit for the Congress of the United States as a check upon the executive expenditures.

Comptroller General McCarl never lived up to the expectation of this opinion.

When the House of Representatives, through our beloved Speaker, WILLIAM B. BANKHEAD, named a select committee to study this problem, it named the brilliant, gifted FRED VINSON, of Kentucky, an able and distinguished lawyer, expert accountant and bookkeeper, former member of the Appropriations Committee, who understands everything that appertains to management and expenditure of Government funds, as one of the members of the committee. It selected LINDSAY WARREN, one of the keenest analytical minds from North Carolina, and chairman of the Committee on Accounts of the House of Representatives, who is dealing with figures and bookkeeping day in and day out, and one of the ablest Representatives in the Congress of the United States. It also selected as chairman of the committee JOHN J. COCHRAN, chairman of the Committee on Expenditures, a fair, just, honorable, and considerate Member, who has been one of the watchdogs of the Treasury, as well as Congressman ROBINSON of Utah, a fearless, simple, unassuming, and just Representative, as majority members of this select committee to study the reorganization bill.

This committee apparently influenced by the distinguished president of Columbia University, who said in his testimony before the Senate Committee that there ought to be a comptroller general and an auditor general, one to look after ex-

penditures and see to their legality before they were spent and the other to audit them as to their legality and usefulness after they are spent, perfected this bill which provides for the appointment of an auditor general who shall be named for fifteen years by the President of the United States, removable by the House and Senate only on charges of malfeasance, misfeasance, high crime, and misdemeanor. That this auditor general shall be the agent and right arm of the Congress of the United States. That he shall have the right to examine every statement, every voucher, every dollar spent and report back to the Congress of the United States whether the money has been spent legally and honestly. The Auditor General is only subject to the jurisdiction of the Congress of the United States. He must furnish to the Congress an independent audit of every department of the Government so far as expenditure of public funds are concerned. He is independent of the President of the United States and every agency of the Government and is only responsible to Congress.

The Comptroller General in this new bill of the House is appointed by the President of the United States. He has a right to name him for a tenure of years and he is subject to removal by the President. He has the same right as he had before, to give advance opinions; second, to pre-audit, and third, he has been given the absolute and exclusive charge of the availability of appropriations which the Attorney General of the United States cannot challenge, as that is his exclusive right which he never possessed before. He can settle all claims against the Government in any department and can prescribe uniform methods of book-keeping.

Mr. Chairman, should there ever be a difference of opinion between the Auditor General, who represents the Congress of the United States, and the Comptroller General, who represents the President, if the two of them differ as to what was the intent of Congress in passing certain legislation, instead of the condition which obtained before, when the Comptroller General was the supreme dictator and omnipotent ruler, the matter must come back to the Congress, to the House of Representatives, and to the Senate for final decision to determine who is right. In this way Congress will maintain a greater and a finer check and balance upon the purse and finances of our Government than has ever been done before. This bill kills the dictatorship of the former Comptroller General and brings the expenditure of public funds directly under the eyes of the Congress of the United States through securing for the first time in our history an independent audit that shows where every dollar of our funds has gone.

Mr. Chairman, this reorganization bill deserves to pass on its merits. It is a shame that all around the Nation propaganda is being spread against the finest bill that has ever been brought before Congress. It is a crime to misrepresent, abuse, and vilify those who are honestly supporting the bill on its just and deserving merits.

Mr. Chairman, lest we forget, let us remember another occasion when a great Man, a Man whom the world worships today, walked along the Calvary road to Golgotha and was put upon a crucifix. There, while the Roman centurions were driving nails into His hands and feet, letting the blood run, and while the burning sun was parching His sad and smiling face, He looked upon those who tortured Him, who misunderstood His mission, and spoke to them in language that has come down through the ages: "Father, forgive them, for they know not what they do." So I say today that throughout the length and breadth of our land, through misguided, poisonous, destructive, and unfair criticism, there is being put upon the cross of propaganda the greatest emancipator and the greatest humanitarian this country has ever known. While the nails of bitterness, rancor, hatred, and prejudice are being driven into his soul he must be weeping inwardly as he contemplates the tragedy of suffering humanity. Our great President of the United States, Franklin Delano Roosevelt, will go down in history as one of the noblest and finest characters this Nation has ever elected to

office, and as he envisions the Republic he loves and the people he trusts he, too, must be silently praying to the God of Creation: "O Lord, Father, forgive them, my traducers, for they know not what they do." [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield one-half minute to the gentleman from Kansas [Mr. GUYER].

Mr. GUYER. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks in the Record and include therein a radio address delivered by myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TABER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Chairman, I take this time in order to ask the chairman of the Select Committee some questions. As I understand the agreement, this bill will not be read for amendment before tomorrow. This is my understanding from talking with the majority leader today.

I call attention to that fact for the reason that when the first section or title shall have been read, I shall move, as is our present intention, to strike out the enacting clause. This will bring a clear-cut vote on whether we shall proceed further with this bill before these amendments or these so-called concessions are offered to us. That is an immediate and expeditious method of disposing of the entire issue.

May I now ask the distinguished gentleman from Missouri [Mr. COCHRAN] if there is going to be any agreement as to how this bill shall be read, whether by sections or by titles?

Mr. COCHRAN. The gentleman will have to get his information from the House of Representatives as a whole, not the chairman of this committee.

Mr. O'CONNOR of New York. What is the chairman's individual attitude may I ask?

Mr. COCHRAN. Insofar as the select committee is concerned, a unanimous-consent agreement was reached between the minority and the majority members that, with the permission of the committee, the bill will be read by title, this in the interest of those opposed to the bill.

Mr. O'CONNOR of New York. What is the objection to reading it by sections?

Mr. COCHRAN. We wanted to be absolutely fair to those opposed to the bill.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the distinguished gentleman from New York.

Mr. TABER. The objection to reading the bill by sections is that there are amendments which cover two to three sections in one title. If the bill were read by sections, it would be a little more difficult to have the amendments cover just exactly what they ought to cover.

Mr. O'CONNOR of New York. I am not complaining about that arrangement. I just wanted to know what was the plan. Reading by title is, perhaps, the better method.

Mr. COCHRAN. The gentleman, being an expert parliamentarian, knows reading the bill by title is an advantage to the opposition.

Mr. O'CONNOR of New York. I am not so sure of that, but may I say on another point that it has been almost an invariable practice in the House, especially when matters were referred to the Committee on Rules, for it to bring in a rule that where the House committee strikes out all of a Senate bill and substitutes a House bill, the House amendment is read as an original bill, subject to amendment.

Mr. COCHRAN. On the other hand, if we read the House bill, which is one amendment, it would deprive certain Members of offering a substitute that they desire to offer.

Mr. O'CONNOR of New York. Just the contrary is the fact, and I am coming to that right away. The distinguished gentleman is stating something that is contrary to the parliamentary situation.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. O'CONNOR of New York. Here is a situation of which the Members should be aware. Unless this new bill offered by the House committee is read as an original bill, first, when amendments are offered there can never be a vote on such amendments when we get back into the House.

Mr. COCHRAN. That is admitted.

Mr. O'CONNOR of New York. Why should the special committee endeavor to get permission to read this bill as an original bill so that every amendment offered could be voted on separately when we get back into the House, instead of having to vote up or down this one amendment, the House bill? Does the distinguished gentleman see any unfairness in that proposal?

Mr. COCHRAN. I think it is equally fair to the opposition as it is to those in favor of the bill, if not an advantage to the opposition.

Mr. O'CONNOR of New York. Rather is it entirely unfair to the opposition to have only one vote, and is something that has rarely ever been done in this House.

Mr. COCHRAN. In the case of an amendment offered in committee and voted down, you could not get a separate vote on that amendment when we went back into the House.

Mr. O'CONNOR of New York. Of course not. I am talking about amendments that are voted up; and the special committee itself might well be interested in a vote on some such amendments.

Mr. COCHRAN. If an amendment is adopted to an appropriation bill, you can always get a separate vote on that amendment when we go back into the House.

Mr. O'CONNOR of New York. Well, we are not considering an appropriation bill, so the distinguished gentleman's reference has no pertinency. The distinguished gentleman knows that in the case of every major bill brought in here, where we substitute an entirely new committee amendment for the Senate bill, the amendment has been read as an original bill, so a vote can be had, if desired, on every amendment, one way or the other, when we go back into the House. Now, what is the distinguished gentleman or his committee afraid of?

Mr. COCHRAN. Just the contrary is the fact, because if some obnoxious amendment is added while we are in committee, our hands are tied when we go back into the House and we cannot get a separate vote. Is that not fair?

Mr. O'CONNOR of New York. That is not in any wise an answer to my proposal and does not meet my proposal of being fair.

Mr. COCHRAN. We are also deprived of a separate vote. [Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman from New York 2 additional minutes.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR of New York. I gladly yield to the distinguished minority leader.

Mr. SNELL. In the colloquy I had with the distinguished leader of the majority today he seemed to indicate he was going to be fair, and as far as he was concerned, if I understood him correctly, he was willing to have the House amendment read as an original bill.

Mr. RAYBURN. Yes; by title.

Mr. SNELL. By title; yes.

Mr. O'CONNOR of New York. All right, but that is not what the distinguished chairman of the special committee has just stated. He seems to be unwilling to have it read as an original bill.

Mr. COCHRAN. What did I say I was not willing to have done?

Mr. O'CONNOR of New York. The gentleman gave no indication that he was willing to have the House committee amendment read as an original bill.

Mr. COCHRAN. No one asked me that question.

Mr. O'CONNOR of New York. I did, and I am asking the gentleman again now.

Mr. COCHRAN. I do not propose to answer for the committee until the matter is discussed by the committee, including both majority and minority members. That has been and always will be my position.

Mr. O'CONNOR of New York. Well, let me respectfully suggest your committee might well have made up its mind before this. Furthermore, if you do not read the House amendment as an original bill, you cut off one degree of amendment, because your House bill is one amendment, and only one other amendment could be offered to it. Such an amendment could not be amended because it would be an amendment in the third degree.

There is only one way, in fairness, to handle this matter if you ever get to the point of reading your bill. Some of us think you are not going to get to that point, but if you ever do, the only fair way is to read it as an original bill, subject to amendment, so amendments can be voted on when we get back into the House.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield for a question?

Mr. O'CONNOR of New York. Yes; gladly to my friend.

Mr. COCHRAN. I would like to ask the gentleman, if the gentleman were in my shoes, if he would agree to what he is asking here?

Mr. O'CONNOR of New York. I certainly would.

Mr. COCHRAN. Has the gentleman ever shown any disposition in his life, when in charge of a rule or of a bill, to offer any concessions to the opposition?

Mr. O'CONNOR of New York. I certainly have. I have constantly brought in rules under an identical situation—

Mr. COCHRAN. And the gentleman has made every effort to carry his viewpoint through.

Mr. O'CONNOR of New York. Of course, saying a thing loud does not make it so. Under all situations identical with what we have before us now I have brought in rules providing that a bill like this should be read as an original bill.

Now, please let us be fair about all this, and there is only one way that will be fair. That is all we in the opposition ask. Please do not try to ride roughshod over us.

Mr. COCHRAN. We will be perfectly fair and will abide by the rules of the House, whatever they may be.

Mr. O'CONNOR of New York. Well, of course, humbly may I say I think I know what the rules are.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. GRAY of Pennsylvania. Mr. Chairman, will the gentleman from Kentucky yield to a question before he begins?

Mr. ROBSION of Kentucky. Yes; for a short question.

Mr. GRAY of Pennsylvania. And that is to ask the gentleman from Kentucky if he remembers how long it is since the distinguished gentleman from New York, Dr. SROVICH, who addressed the Committee just before the gentleman from New York [Mr. O'CONNOR] delivered a speech in this House tracing the origin of the New Deal to Karl Marx?

Mr. ROBSION of Kentucky. The RECORD will show.

Mr. Chairman, we have before us for consideration today President Roosevelt's so-called reorganization bill, S. 3331, with some amendments proposed by the House Committee for Organization. Under whip, spur, lash, threats, coercion, and patronage, the administration forced this un-American proposal through the Senate by a vote of 49 to 42. All the Republican Senators, led by BORAH, McNARY, and JOHNSON, voted against the bill. Twenty-six Democrats, including the administration's staunch friend and liberal leader, Senator WAGNER, cast their votes against it. One hundred thousand telegrams expressing opposition were received by Senators in less than 48 hours before the vote. It is generally reported that a number of the administration's Democrats, orally and in writing, pledged themselves to vote against this bill. Their votes would have defeated it, but they were whipped into line to support the bill at the last minute.

It is amusing under the circumstances for the President to issue a statement that he was grateful the Senate could not

be purchased. The President at the same time slapped in the face the patriotic farmers, war veterans, churches, labor, and other organizations who sent thousands of letters, petitions, and telegrams in opposition to the bill. The Constitution gives the American people the right to express their views through their chosen public servants. Stalin, Hitler, Mussolini, and other dictators express the same impatience as President Roosevelt when any citizens of their country protest.

Now, who had the power, if anyone, to influence improperly the Senate of the United States except the President and his administration? More than 150,000 telegrams and more than 200,000 letters and petitions have come to the Members of the House protesting against this bill and appealing to us to defeat it. I have received many letters and telegrams opposing—but none favoring—the President's bill. Hon. JOHN O'CONNOR, a great Democrat and friend of the administration, chairman of the Rules Committee, in an eloquent appeal to the House the other day, stated that in all his 15 years of service in the House he had received more genuine protest against this bill than any other bill. He stated that he was a strong organization Democrat, but that he could not "stomach this bill." I wish also to commend the very able speeches of many other leading Democrats, such as Mr. RAMSPECK, chairman of the Civil Service Committee, Mr. PETTENGILL, and Mr. LAMNECK, of Ohio.

This bill came to the Organization Committee of the House but they declined to grant any hearings to any individual or organization. The Democrats on that committee, over the protests of the Republicans, brought in the bill and attempted to force it down the throats of the Members of the House without adequate debate or consideration. However, 191 Republicans, Democrats, and Progressives to 149 administration Democrats stopped this gag procedure, and the bill is now being debated and considered, and the American people have further opportunity to protest.

Who have been protesting against the passage of this bill? Every patriotic organization of this country, the war veterans, churches, farm labor, and other organizations and groups and hundreds of thousands of patriotic citizens. They realize that this measure is a greater threat to the liberties and freedom of the American people than the President's Court-packing bill.

What is wrong with this bill? The President, in his message to Congress on January 12, 1937, urged that Congress give him power to cut out, to change, coordinate, divide, add to, or take away from any department, bureau, or commission or other executive or quasi-judicial agency of the Federal Government, and in that way give the President the power to entirely cut out or shift the activities of one department to another or divide up the activities of the various departments, bureaus, and commissions and agencies, and to take from, coordinate, and destroy civil service, the merit system, eliminate the Veterans' Administration, the Accounting Office, and, in other words, do whatever the President desires with the departments, bureaus, commissions, and agencies of the Government, with the power to hire and fire 1,100,000 Federal officeholders and workers. He asked these unheard-of powers over all the executive branches of the Federal Government, and also over the Civil Service Commission, Interstate Commerce Commission, Federal Trade Commission, Tariff Commission, Veterans' Administration, General Accounting Office, Railroad Retirement Board, Mediation Board, and every other executive agency, quasi-legislative and quasi-judicial agency set up by Congress, and likewise over the 1,100,000 officeholders of these several departments; and, last but not least, he asked for the power to abolish or change the name of the Presidency itself. If we pass this bill, every executive agency and every person employed by executive agencies, as well as the quasi-legislative agencies, will be subject to the will of the President. He can hire and fire at his pleasure. He can throw anybody out, as he did William Humphrey, of the Federal Trade Commission, who refused to wear the President's collar or be a "yes man" on that great Commission. The Supreme Court

overruled the President's action by unanimous decision, as they did the *N. R. A.* Congress in *N. R. A.* gave the President the power to issue Executive orders; in other words, to legislate. The Supreme Court held in the Humphrey and *N. R. A.* cases, both by unanimous decision, that the President could not remove Humphrey by Executive order, and that the Congress had no right to delegate to the President the power to carry on the activities of the *N. R. A.* by Executive orders.

If we pass this bill and give the President a blank check of authority, as Congress has in signing blank checks for nearly \$16,000,000,000, the President will do all the things set forth in this bill by Executive order instead of by acts of Congress.

COURT-PACKING AND REORGANIZATION BILLS

The President's message for the reorganization bill was sent to Congress on January 12, 1937. The Court-packing bill was sent in on February 5, 1937. These two bills were cooked up by the White House crowd to give the President unlimited powers. The people of the Nation understood at once the implications of the Court-packing bill and they rose up in arms and defeated it, but time and the resignations of members of the Supreme Court have accomplished for the President that which he could not get through Congress. He is filling up the Supreme Court and other Federal courts with his close political advisers and personal friends. You will observe that the President permitted the reorganization bill to sleep quietly until he had a Court to his liking.

The President no doubt feels that he can now, if this bill passes, issue all sorts of Executive orders in dealing with the executive and other Federal agencies of the Government having the force of an act of Congress, and have these Executive orders upheld by the Supreme Court as now constituted. He may not be stopped by the Supreme Court as he was in the Humphrey and *N. R. A.* decisions.

NEITHER SAVING NOR EFFICIENCY

It is feebly urged that this measure will reduce the expenses of Government and might add some efficiency. Heaven knows both of these are very much needed in this administration.

This measure will not reduce costs or add efficiency. The opponents of the bill in the Senate tried to get through amendments pledging reductions of 10 percent or even 5 percent in the expenses of Government, but the administration forces defeated both of these amendments.

There was a reorganization bill passed in 1933. It was passed because of the pledge of President Roosevelt and his party to reduce the cost of Government at least 25 percent and to cut out a lot of bureaus and commissions that had been theretofore created, but that act did not touch the Civil Service Commission, the General Accounting Office, the Federal Trade Commission, Interstate Commerce Commission, Tariff Commission, or other quasi-judicial bodies set up by Congress. President Roosevelt was given 2 years in which to reorganize the Federal Government, reduce its cost, and add to its efficiency. The country knows how flagrantly these promises were violated. President Roosevelt did not exercise that power but proceeded to become the greatest squanderer and spender of all time, adding more bureaus, commissions, and other Federal agencies than all the Presidents from George Washington down to Franklin D. Roosevelt. He has increased the number of officers and employees from approximately 530,000 in 1933 to 1,100,000 in 1938. Since he submitted his reorganization message on January 12, 1937, he has urged and many commissions, bureaus, and other agencies have been created, and there have been added about 250,000 officers and employees to the Federal pay roll.

Although Federal revenues have been increased more than 200 percent annually and the national debt has been increased approximately twenty billions, and although there has been a deficit of billions every year since he has taken office and there is a deficit of about three billion since this time a year ago and good Democrats predict there will be a

deficit of four or five billion next year, and although appropriations have been increased over former years, and although Mr. Woodrum, of Virginia, a great Democrat and chairman of the Subcommittee on Appropriations, in a radio address last night told the country that this reorganization would add to the cost of government from \$1,000,000,000 to \$3,000,000,000, we are now told by this same crowd that has taxed American business and the American people to death and has squandered the taxpayers' money as no other ruler in all history, that Congress should surrender its constitutional legislative powers and turn over this whole question of economy and efficiency to this administration. [Applause.]

Anyone who indulges for a moment the belief that this administration will effect economies or bring about efficiency in government or reduce taxes or stop these mounting deficits and debts has a faith more sublime than that of Abraham, Isaac, or Jacob.

This bill itself increases the President's secretaries from 4 to 10 at a salary of \$10,000 each. It creates scores of other major offices with big salaries. It sets up a department of welfare that is to be administered by Harry Hopkins, and this will mean at least 100,000 more Federal officeholders.

It scraps the Comptroller General's office, the watchdog of the Treasury, that has saved hundreds and hundreds of millions of dollars to the taxpayers. That office requires each item of expenditure to be submitted to the Comptroller General's office to be examined and audited to see if the service rendered or money was expended as provided by law, and if the account or claim is just. The smart political boys who are behind this bill are not thinking of economy or efficiency. They want power, and more power.

If I should vote for this bill and make this abject surrender and confession of my inability to represent my people, I feel that I could never look them in the face again.

A DEATHBLOW TO LIBERTY

This bill was not conceived in either the House or Senate. It was written by some young brain trusters who are holding emergency political jobs under the President. Its purpose is not to reduce the cost of Government and bring about more efficiency; it is to give the President power and more power. Every administration-backed measure that has been brought in to Congress since 1933 contained provisions giving the President added power so that today he is the most powerful ruler in all the earth.

Our founding fathers when they wrote the Constitution did not have in their minds the question of dollars and cents or efficiency. Their knowledge of history and their own experience taught them that nations and peoples almost universally have lost their liberties and freedom through the executive branch of the government. They had suffered through one-man rule. They desired to take the oppressor's heel off their necks; therefore they had fought 8 long years to get away from one-man government. In closing the preamble to the Constitution they used these significant and inspiring words:

To secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution of the United States of America.

They conceived and adopted the greatest charter of human liberties. It seems almost an inspiration.

In order to insure, protect, and make safe the blessings of their hard-earned liberty to themselves and their posterity, they set up three great coordinate branches of the Federal system, each one to be a check on the other. They delegated certain powers and duties to Congress, the representatives and spokesmen of the people. Among these powers they reserved to the Congress the right to set up and establish departments, bureaus, commissions, and other Federal agencies and to provide for the personnel. Congress did establish the Departments of War, State, Navy, Treasury, Post Office, Justice, Agriculture, Commerce, Labor, and so forth. Congress did establish the Interstate, Civil Service, Tariff, and Trade Commissions, the Veterans' Administration, and other agencies of the Federal Government. The President

in his message asks us now to turn over these great constitutional powers of Congress to him and to give him the right to shift the activities of one department to another, to divide up these various bureaus, commissions, and agencies, or add to or take from, coordinate or consolidate, scrap the civil service, the merit system, the General Accounting Office, the watchdog of the Treasury, and other executive and quasi-legislative branches of the Government, with the power to hire and fire 1,100,000 Federal officeholders and employees, so that these various executive agencies and the entire personnel will be subject to his whim and will.

If this bill becomes a law, it will be the greatest surrender ever made by Congress of its constitutional powers. We in our haste and folly will tear down that for which millions of noble men and women sacrificed their blood and treasure. We will have struck a deathblow to the freedom and liberties of the American people, the greatest ever struck since July 4, 1776. [Applause.]

It is urged that Congress is unable to exercise these constitutional functions. Congress created these agencies. It has the power to eliminate, coordinate, add to, or take from them. You may be willing to admit your legislative incapacity to carry out these constitutional functions, but I am neither willing to make such surrender nor to make such confession.

Are we too far from Bunker Hill, Valley Forge, and Yorktown? May I appeal to you, not as Republicans and Democrats, but as American citizens to turn back over the years and let us live again in our minds the suffering and sacrifices of the heroes of the American Revolution who won our independence and the heroes of the War of 1812 who confirmed it? If you pass this bill, the doors of Independence Hall should be draped in mourning on July 4, 1938, and the Liberty Bell should toll the death knell to American freedom and liberty. [Applause.]

The President and his subordinates could not effect these reorganizations without a most careful study. Let the President and his subordinates, if they desire, make these investigations and report the changes that may be advisable and necessary to effect economies and efficiency to the Congress, or the Congress itself has all the power and funds necessary to make the investigations. The Congress, then, still retaining its legislative functions, could act upon these reports. The Congress has heretofore followed that course.

DICTATORS' MARCH

We hear much these days of the march of the dictators of the earth. The spirit of one-man rule and the decline of democracy are abroad in every land. The President about 2 o'clock the other morning interrupted his sleep, according to the press, to give a statement to the press that he had no desire to be a dictator.

History records that Julius Caesar thrice refused a crown, but he was no less a dictator. Lenin, Trotsky, Stalin, Hitler, and Mussolini all disclaimed any purpose of becoming dictators before they got control of their respective countries. It is against the law in those countries to speak of them as being dictators. They claim to be great liberals and animated by unselfish service to the common people.

They did not become dictators overnight. The lawmaking bodies of Italy and Germany supinely stripped themselves of their legislative powers and conferred these powers upon the dictators.

Cannot we see to what extent the lawmaking body has surrendered in this country to the executive department? We have seen attempts made and in many cases executed to regiment agriculture, labor, industry, and commerce. Constant attempts have been made and are being made to regiment the activities of 130,000,000 Americans and place them in the hands of a few bureaucrats here in the Nation's Capital. Hundreds of thousands of officers and employees have been appointed in utter disregard of civil service or the merit system. Congress has time and again surrendered its constitutional and legislative powers and has been held up in scorn to the country as a "rubber stamp" branch of the

Government and as being "yes men" to an ambitious, power-grasping Executive, and now we are urged to make the greatest surrender of all times in this country's history.

Let us bear in mind that Mr. Roosevelt will not be the one who will effect these changes. It will be more difficult for him individually to do it than for Congress to do it. This great power, if we pass this bill, will be turned over to the Cochrans, the Cohens, the Hopkinses, and others—turned over to men who have never been able to be elected to any office by the people. Will they not have a glorious time wielding this power and cracking the whip around the heels of the American people?

The distinguished Democratic leader [Mr. RAYBURN] urges us all, especially the Democrats, to follow Mr. Roosevelt. He says he will follow Mr. Roosevelt all the way wherever he may lead. That is the trouble with those who are in control of the House and Senate today. Our Democratic friends are not leaders—they are merely followers. They are messengers operating between the White House and the House and Senate.

I have served under five Presidents—three Republicans and two Democrats. I have never stated that I would follow any man all the way; neither have I ever followed at all times and all the way any President, either Republican or Democrat. No man can follow anyone who ever walked on earth all the way unless it be the Man of Galilee.

Mr. Roosevelt has proved time and again that he is not infallible. Who can say that Mr. Roosevelt will live to carry out the provisions of this bill? No telling how soon some other man, even a Democrat, in whom you Democrats do not have so much faith, will be in the White House.

It has never hurt me in my congressional district for the people to know that no one puts a ring in my nose and leads me up and down Pennsylvania Avenue. The country now is looking to Congress, to you and me, to uphold the Constitution and preserve their rights, liberties, and freedom. Will we fail them in this trying hour? I pray that the desire for political preferment or the demands of those who wear the purple will never deter me from keeping my oath and performing my constitutional legislative duties to the people of this country. [Applause.]

LOGROLLING—"HOSS" SWAPPING

There has never been so much logrolling and "hoss" swapping on any bill as this bill. There were no exemptions of departments, commissions, bureaus, and so forth, in the President's message. There were slight exemptions in the Senate bill, but the public press and the records show that many promises were made on the side to various groups that the President after this bill was passed would not reorganize this agency or that agency, and some votes were gained through these promises and pledges. Certain exemptions have been set up in the House bill as reported to the House, but the logrolling and "hoss" swapping goes merrily on.

The railroad brotherhoods were very active in their opposition to this measure while it was before the Senate. A few days ago their executives issued a statement that they had withdrawn their opposition because they had been assured by Senator BARKLEY that the Railroad Retirement Board and Mediation Board would not be interfered with if the bill were passed. In order to appease our Catholic friends, those in charge of this bill, the leadership in the House, agreed to cut out the word "education" in the new proposed welfare department. The administration was willing to strike out this important feature of the welfare department in order to head off Catholic opposition.

The war veterans' organization have been making a vigorous fight against the bill. Now it has been suggested that if they withdraw their opposition the President will not do anything to the Veterans' Administration. Other promises have been made as to other commissions, bureaus, and Federal agencies.

I am in favor of exempting the Railroad Mediation Board and Retirement Board, the Veterans' Administration, the Civil Service Commission, the Comptroller General, and each

and every other commission and agency. The President now proposes that this bill may be amended to provide that Congress may pass a concurrent resolution setting aside any particular action of the President on this reorganization. That is the cheapest thing that has been proposed yet. That shows how anxious the President is for Congress to turn over to him its constitutional legislative powers. The President, in a statement issued by him, admitted, and it is admitted by good lawyers in charge of this bill, that such an amendment would be unconstitutional. It would mean no more by way of protection to the people and the Congress than to attach a blank piece of paper to the bill. In the Reorganization Act passed in 1932 there was a provision for a concurrent resolution giving either the Senate or the House the right by a majority vote to set aside any action by the President in reorganization. It was then held by the Attorney General and by President Hoover that that provision was unconstitutional. I am sure that few Members, if any, of the House will be deceived by this proposal.

With all of these exemptions, the general powers given to the President will be retained. The watchdog of the Treasury will be removed, the civil service will be scrapped, and there will be no check on the spending by the President and his subordinates. There will be no restriction on his power to hire and fire the 1,100,000 Federal officeholders and employees. Granting him these three great groups of powers, the Executive will be able to get the others in due course of time.

Furthermore, it appears to be the policy of the leaders of the House to pass the House bill in any form. It will then go to conference. The conference committee of the House and Senate will be made up largely of the friends of the administration, and, as announced by Democratic Leader RAYBURN over the radio last night, this conference committee would write the bill. Of course, then many of these amendments and concessions will be wiped out.

If this legislation is right and proper, it should apply to all executive commissions, boards, bureaus, and agencies. If action is desirable, Congress should take action. Scores of these bureaus, commissions, and agencies would not have been created except through the urgent demand of the President himself and the use of patronage, appropriations, and coercion. I am against this bill because it is wrong in principle. I am very happy to have an opportunity to speak against it and to vote against it. [Applause.]

ENCOURAGE BUSINESS—ELIMINATE UNEMPLOYMENT

The panic was upon us when we were called into extraordinary session, November 15, 1937. John L. Lewis, a great political and personal friend of the President, declared in a speech the other night over the radio that there were 13,000,000 unemployed American workers and the number was on the increase; that business was paralyzed. He also said that the Government had not come forth with any constructive plans to meet the problem of the depression. He likewise declared that Congress had failed to devise or enact a single statute that would cause a glimmer of hope to penetrate the minds of millions of despairing Americans. He, a good friend of the administration, was talking about this administration; and with this condition confronting us, Congress has been in session for months and the administration had put forth one controversial unnecessary proposal after another to further destroy confidence, stir up the passions of the people and to create fear, factions, and class hatred. The House and Senate have spent weeks on this bill now before us, when there is not a line in it that would give a job to one of the millions of unemployed workers or start up one of the tens of thousands of mines, shops, factories, and mills that are now idle. This bill has only one purpose—to increase the number of Federal officeholders, give the President more power and take away the liberties of the people. There are fewer railroad men, and miners employed, less business going on in my district than in 1932 or 1933. My section of the country is in much worse condition than it was in 1932 or 1933. John L. Lewis had a right to criticize the administration and Congress, both controlled by the

Democrats, for having done nothing to relieve unemployment or bring a ray of hope to distressed millions of unemployed and distressed business institutions of this country.

We did not live in the days of the Revolution or in the days of the struggle of the War of 1812 to help our forefathers win and reaffirm our freedom and liberties. I rejoice, however, to have an opportunity today to raise my voice and cast my vote to secure the blessings of liberty to ourselves and our posterity, for which they sacrificed. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. McKEOUGH].

Mr. McKEOUGH. Mr. Chairman, I am grateful to the gentleman from Missouri [Mr. COCHRAN] for the privilege of speaking 10 minutes on this so-called "dictator" bill. I happen to represent a district wholly within the corporate limits of the city of Chicago, and we who are residents of that great city, like many who are in this House, have been victimized by the malicious propaganda indulged in by the newspapers so far as this particular bill is concerned.

In Chicago we have several newspapers, every one of which, with one exception, has opposed every constructive measure advocated by the illustrious President of the United States during his first administration and so far during his second administration. Typical of their program of activity, I find that under date of April 2 in the newspaper that is self-styled "the world's greatest newspaper," the Chicago Tribune, there appeared the following dispatch, dated Washington, April 1, and furnished by the Chicago Tribune press service. The article is headed "Thirteen Democrats of Illinois Dodge Dictator Vote." It states in a subheading, "Fear reprisals if they oppose measure."

The following is part of the article:

Most of the Democratic Members of the Illinois delegation in the House of Representatives are dodging the issue on the reorganization bill a survey tonight revealed.

Of the 21 Illinois Democrats, 14 failed to vote on the motion to conclude debate on the bill today, which was the first important test vote. Questioning of several of these men disclosed that they are torn between a desire to vote against the bill and a fear that reprisals will be visited upon them by the administration if they do so. Their strategy in the meanwhile is to keep quiet and not put themselves on record.

SCOTT W. LUCAS IS NOT PRESENT

Most of the 14 Democrats were present in the House today and could have voted if they desired. There were exceptions, such as in the case of Representative SCOTT W. LUCAS, who is in Illinois campaigning for the Democratic nomination for United States Senator.

The 13 others who did not vote and their districts are: HARRY P. BEAM, Fourth; EDWIN V. CHAMPION, at Large; FRANK W. FRIES, Twenty-first; KENT KELLER, Twenty-fifth; EDWARD A. KELLY, Third; LEO KOCHALKOWSKI, Eighth; LEWIS M. LONG, at Large; JAMES McANDREWS, Ninth; RAYMOND S. McKEOUGH, Second; THOMAS J. O'BRIEN, Sixth; ADOLPH SABATH, Fifth; LEONARD W. SCHUETZ, Seventh; and CHESTER THOMPSON, Fourteenth.

As an answer to that false charge, having learned of its being incorporated in a dispatch from the news service of the self-styled world's greatest newspaper, eight of the Democratic Members representing Chicago districts who have been absent from Washington because of the primary campaign left Chicago last night to return to Washington in order that we might indicate by our presence here on the floor, and by our votes when the roll is called, that we do not subscribe to the false and vicious propaganda used by the newspapers of the country and the interests they have so well served, which includes all of those who have consistently opposed our gallant leader. I submit when I refer to our gallant leader that not among the 130,000,000 Americans who are housed within the boundaries of our country today is there any better American than is Franklin Delano Roosevelt.

Mr. Chairman, we are here for the purpose of supporting our President because we realize that in him, and in his program, and in the advocacy of his policies, he represents not alone the great humanitarian heart that is his, but the finest standard of constitutional American Government that any President in the long line of illustrious men who have held that highest office within the gift of any people in all the

history of the world submits as his record of sound American philosophy of government, and we say to our President, we say to the newspapers, we say to those disciples of deceit, those agents of malicious propaganda, that we of Chicago, and we of Illinois still love Roosevelt and will carry on just so long as Roosevelt carries on in the interest of 130,000,000 Americans.

Mr. SIROVICH. Will the gentleman yield?

Mr. McKEOUGH. I yield to the gentleman from New York.

Mr. SIROVICH. I left to go to the cloakroom and while away I understand the distinguished gentleman from Pennsylvania [Mr. GRAY] made the statement that I had made a speech on the floor of the House in which I traced the evolution of the New Deal to Karl Marx. I want to denounce that as a false statement.

Mr. GRAY of Pennsylvania. Will the gentleman yield?

Mr. McKEOUGH. I yield to the gentleman from Pennsylvania.

Mr. GRAY of Pennsylvania. In answer to the gentleman from New York, may I say that he not only made the statement and made the speech but he circularized this Congress with that speech.

Mr. SIROVICH. Mr. Chairman, I am going to put the speech in the RECORD so that everybody may read it to see whether the gentleman is right or I am right.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. CREAL].

Mr. CREAL. Mr. Chairman, something more than an hour ago I put in a telephone message for that genial gentleman from Missouri, Mr. DEWEY SHORT, and specifically informed his office that I was going to say something about him this afternoon. He was here a part of the afternoon and if he is now in the cloakroom his friends will oblige me by informing him I am about to say something about him.

Mr. CHURCH. Mr. Chairman, I make the point of order that a quorum is not present. Let us have the gentleman from Missouri here.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and six Members are present, a quorum.

Mr. CREAL. Mr. Chairman, on Friday or Saturday, I do not remember which day, when the gentleman from Missouri was talking and going through various forms of contortion and gymnastics here, I became apprehensive for fear that his partisan spleen might cause him to burst a blood vessel. I saw the veins standing out on his forehead and I asked him a friendly jibe, a little aside from the topic under discussion, thinking to distract him and thus do him a favor. His answer to me was that he was going to yield to me for the reason his mother or some of his forbears were born in Kentucky. I deserve no consideration at all from being a fellow Member, I suppose.

In addition, before he yielded he said I was a bitter partisan, and added that he had gone farther under the barn hunting for eggs than I had ever been away from home. I pose as just a mere average Kentuckian, in the average district, neither the top nor the bottom. My provincialism or world travel experience would be that of the average man of the average district of Kentucky and elsewhere. However, as prosecuting attorney for 18 years I had a whole lot of experience looking after itinerant fellows who roamed the country snooping for eggs. I doubt most seriously if one could make a living at that occupation in my neighborhood now. I am not going to dispute the gentleman's word, because he has the reputation of being truthful. When he states he has traveled that far, what reason have I to doubt his word? But have you ever stopped to figure how much traveling he would have to do? Necessarily he would have to go under not only one barn but many barns throughout a wide range of the community, or under the same barns a large number of times to make up that distance. If he chose to do that and to crawl on his belly over the places of the rest rooms of the geese and hens, and spent a large portion of his early life at that occupation, what business is it of mine and yours? But I wonder

what quality of eggs he recovered? Necessarily they must have been long-lost eggs, perhaps aged eggs. In my time I have had a little experience, but the only egg hunters I ever found were some old, flea-bitten hounds afflicted with the mange, with the hair off their tails, running out into the orchard from under the barn as I rocked them away. We broke those hounds from sucking eggs by the generous use of turpentine. I mean, of course, turpentine on the eggs. There are no loose eggs about in my section, but the old blue hen has chicks in most any neck of the woods who enjoys whetting spurs for exercise when called upon.

I venture to say that when my partisan Republican friend from Missouri, who is one of the six who stood out yesterday and voted against the Reconstruction Finance Corporation bill to give the little man a chance to borrow money, recovered those eggs some of them were not only old enough to vote but otherwise qualified in every respect to vote the straight Republican ticket.

When he was talking here you could not only see that his spleen was making the partisan fat fry but you could hear the grease popping and methinks I smelled hair singeing. Talk about a man's being partisan. What is the use of getting into a combat with a man who pitted his judgment three times against the people of the State of Missouri in the verdicts of 1932, 1934, and 1936, and still says the people of his State are all wrong, and then stands up here and says these leading lawyers, businessmen, bankers, and what not on both sides were wrong yesterday and pits his judgment as one of six against the judgment of the members of his own party. Such a man reminds me of an incident of which I heard. A very game fellow, who had perhaps had more gameness than brains, tackled the wrong man. The bigger man knocked him down and blackened one eye. In his gameness the smaller man came on again, and that time his other eye was blackened. In his gameness he came on still a third time, and this time his nose was bloodied. With both eyes closed and with his nose bloodied he was still driving at his opponent. The bigger fellow finally just held him and said, "I am not going to fight you any more, you haven't got sense enough to know when you are whipped."

When the people of a man's own State vote three times contrary to the judgment of a man, and when on a measure intended for the benefit of the people he is in a minority of six on the minority side, I say that fellow's judgment is subject to review.

Mr. MARTIN of Massachusetts. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN of Massachusetts. Mr. Chairman, I make the point of order the gentleman is not talking about the pending reorganization bill but is talking about a Member of the House. Under the rules, he cannot do that.

The CHAIRMAN. The gentleman will proceed in order.

Mr. CREAL. Let me speak about the opinion of my friend, the gentleman from Missouri, on this bill. He disparaged my judgment about how I shall advise you to vote on the bill and tried to make you think his judgment was better than mine as to how you should vote on the bill. There are a number of reasons why I do not believe his judgment is better than mine. He spoke on the bill 30 or 40 minutes and told you why he thought you should vote against it. I should be glad to answer his argument in complete detail if I had the time. But when a man votes as he has voted on the other measures and then asks you to vote the way he suggested on this measure, I think it is germane to the present discussion for you to weigh that man's business judgment. What do you think of a man coming here to tell you this is a bad bill who thought Herbert Hoover should be reelected in 1932 when in his own State the banks were popping over night, and he thought we ought to have more of the same? What do you think of his business judgment on that proposition?

Mr. MARTIN of Massachusetts. Mr. Chairman, the gentleman from Kentucky is attacking the character and integrity of a Member of the House.

Mr. CREAL. I am not talking about that, I am talking about his judgment only.

Mr. MARTIN of Massachusetts. I submit, Mr. Chairman, the gentleman cannot question the judgment of any Member of this House.

Mr. CREAL. I do not know whether this measure is a partisan measure or not. They do have some partisans in my district, but I am not entertaining their views. It reminds me of an old gentleman who was sitting around during a county election, sitting on a keg with a hickory stick, chewing tobacco, while the boys, some first voters, were talking about how they were going to vote and talking of voting a mixed ticket. One of them said, "What do you say, Uncle Tom?" and he said, "Boys, I am a little older than you are. I used to be troubled about those things, but there is a rule by which you can solve every doubt, and I followed this rule in politics and find it is better in the long run," and he pulled out a little dirty fertilizer book with some writing on it, and he said, "Here it is: 'Don't never vote for no damn Republican at no time for nothing.'" [Laughter.]

This old gentleman lived in my district and I had some personal business with him. He was a partisan, but I think it is relevant, because I want to show you that I do not share those partisan views. Another incident is where a man killed a hog and put it up to cool overnight on his barn roof, where the egg prowlers would not find it; but notwithstanding that fact, somebody came along after he had put up the hog and took one of the hams of meat. He came into town and said he wanted a search warrant for one of his neighbors, and then he came in and got another, and then he said there was another Democrat living in the hollow and he wanted a search warrant for him, and when that search failed he said there was another Democrat that he wanted a search warrant for, and I said, "How are you so sure a Democrat got your ham of meat?" He said, "Why, a Republican would have taken the whole hog." [Laughter.]

Now, he was a partisan; but I am not ashamed of my provincialism. I hail from the county and county-seat town where Abe Lincoln was born. The double log house that you will see there if you ever visit there is an old Creal homestead. The Creals were there before the Lincolns came and were there when they left, and they are still there. They have been there since 1802.

I do not know whether or not lack of world travel is any particular mark of detraction. They have held positions of trust from the formation of the county to this good hour and have never found it necessary to be routed from one State to another. [Laughter.] So they are not transients. This is an average American community; and now, to be complimentary, the genial gentleman said in reference to this bill that he had a great love for the State of Kentucky because his forbears came from that place, and therefore he was going to yield to me for a question, or words to that effect. Well, I have often heard it said there are many peculiar birds in the world. If he does have that reverence for the spots in Kentucky of his beloved forbears, it is a dirty bird that befouls his own nest, if he meant to cast aspersions on me or other average Kentuckians for our old-fashioned ideas of staying put. So I am discussing Dewey Short. The word "Dewey" means full of dew, and the word "Short" means just what it says. [Laughter.] My view on that is, perhaps, a little provincial, but that is the way it looks to me, and that is the way it sounded to me when he was making his argument here on the floor—a little short of sound logic.

In this bill everybody knows that its opposition is partisan from top to bottom, and I am like the old gentleman who sat on a nail keg, and I am wondering how many times a man can vote in Congress and vote against the authorized leaders of his party, the President and the leaders of the House, or what percentage of votes he can cast with a 100-percent Republican minority and still call himself a Democrat. It looks to me that with a percentage of 51 or 52 percent he has no right to the title of Democrat thereafter. Some of our gentlemen, I have been told, and I have noticed

them myself, have corns on their backs where the Republicans have slapped them on the back so much for the speeches they have made here. Yes; they get up here and they cock their eyes right over on the other side. They do not seem to know that the majority members are here, and the way they grin and kow-tow to the minority side like an old maid being proposed to for the first time. The gentleman from Indiana [Mr. PETTENGILL] stood before this House here the other day and undertook to tell you that the root of this matter was that when the drought-relief appropriation was made for the western farmer that Mr. Roosevelt wanted to plant some trees and the Comptroller General—

Mr. CHURCH. Mr. Chairman, I make the point of order that a quorum is not present. I think the gentleman from Indiana [Mr. PETTENGILL] ought to be here, too. The gentleman knows that the gentleman from Missouri [Mr. SHORT] was called out of the city, and if Mr. PETTENGILL is out of the city, I want to know that, too.

The CHAIRMAN. The gentleman from Illinois makes the point of order of no quorum. The Chair will count. [After counting.] One hundred and six Members are present, a quorum.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. CREAL. From what State is the gentleman?

Mr. CHURCH. Illinois.

The CHAIRMAN. Does the gentleman yield?

Mr. CREAL. I yield for a question; yes.

Mr. CHURCH. I wanted to know if the gentleman would discuss the bill.

Mr. CREAL. Yes; I am discussing the bill all the time. The gentleman is trying to interrupt me. I was discussing a material point made by the gentleman from Indiana [Mr. PETTENGILL] when he said the root of this matter, or words to that effect, was that in that appropriation the Comptroller said "no" to spending some money for trees to be planted. Well, if Mr. Roosevelt is so much of a dictator, why has not the head of the Comptroller gone a long time ago? Why has he lingered these 2 years with somebody he could not control, when he had every power to do so? Why is he a dictator when he is going out of office and wanted to place a man in that office that the next President could remove at will? Why would he not want a man in that would take three administrations to remove him, and give him 15 years? Do you think he could not find somebody wholly imbued with all of the Roosevelt ideas, and name that man to fill the place if he really wanted to perpetuate his ideas beyond his own administration?

All States with much age have found through years of accumulation a lot of rubbish in dilapidated, overlapping, or defunct agencies. Progressive governors of many States have made their campaigns on platforms to reorganize departments for economy and efficiency and to eliminate red tape in small matters of routine.

But when the same is proposed by the Federal Government the charge of dictator is heard. We no longer make flint-lock rifles or maintain an office to distribute bounty for Indian scalps.

As has been well said by others on this floor, Presidents Theodore Roosevelt, Taft, Wilson, Harding, Coolidge, and Hoover all advised that for efficiency reorganization of departments was a crying necessity. The Democratic platform of 1932 on which President Roosevelt was elected promised the people that this long standing need would be attended to.

With the amendments which we are assured will be made to the bill exempting certain departments about which there could be the least possible doubt about intentions I shall vote for the bill.

We have five separate departments making loans to the people; the R. F. C., the W. P. A., the Home Owners' Loan, the land bank loans, the feed and crop loan. What objection could there be from any businessman to having all lending agencies in one department instead of duplicate departments dealing with same individuals without knowing what each is doing?

The bill does not change substantive law. The Game and Fish Commission, wherever placed, could not lengthen or shorten the time one day for killing ducks.

The President now appoints the heads of departments and has no new power not already possessed in the appointment of personnel.

Some folks think the Comptroller is a piece of antique furniture, like Nellie Custis' bed. This Government never heard of a comptroller for its first 135 years. The office was born in 1921 under President Harding and he was appointed for 15 years.

The present term of 15 years is the only time this Government ever had such an office. Some have said this is a scheme of the President's to get rid of the present Comptroller. The present Comptroller's term has been out and is just hanging on. A new man could have been named at any day in that time.

Absurdity supreme exists in the argument that the President wants the new law to say that he is removable at will for any benefit of the President. As I stated before if he wished to fasten a man in the office of his own kind for 15 long years, extending into the fourth term of his successors, he now has that privilege without the proposed change. But he very generously denies himself that privilege and suggests that future Presidents have power to remove him if not satisfactory in service, honesty, or diligence.

There is no power in this bill to tinker with veterans' pay. The proposal under Hoover was more far reaching than this one and opponents of this measure on this floor voted for the more drastic bill. But I shall vote for the amendment to eliminate the Veterans' Bureau entirely so as to leave no room for doubt.

There is but one real class of opposition left after amendments shall have been adopted to allay apprehensions of some people and that is Republican party bias and the sight of party advantage in further heckling, hindering, and embarrassing the President. The Republicans fought the income tax for years, they fought the establishment of the Federal Reserve Banking System, the election of United States Senators by popular vote, and did it all with the same zeal that is used now.

When the Republicans stand up 100 percent on any matter do you suppose that it is not party advantage they seek, but merely a coincident of meeting of minds on the same subject? If the Republicans in Congress from various sections all unite 100 percent on any business matter by mere coincident then the days of miracles are not over and you need not be surprised any morning to find your hogs growing feathers or the spring branch flowing uphill.

There is evidenced here the same kind of wolfish zeal that marked the days of Woodrow Wilson when that great President was as much a martyr of the World War as any veteran who lost his life going over the top. His duties and burdens broke him down. In those days Republican politicians got up before daylight for the morning paper to see if he passed on.

The painful tragedy of it all is not the partisan feeling of the Republicans, which is easily explained, but the men elected by Democratic constituencies on a measure which the Republicans have made a partisan measure, being a minority of Democrats joining with a solid Republican vote to thwart the will and kill the vote of the Democratic majority.

There are Republicans in the country who are for the New Deal because they were honestly tired of the old deal.

To them we bid them welcome and fellowship but there is another kind holding jobs and by soft talk trying to keep a stand-in solely because we are in power.

Instead of listening to this mush we should exercise the same horse sense that the old Negro woman did when she gave her little boy, Rastus, molasses on his corn pone and sent him out on the street to eat it. The street urchins gathered around him in a friendly mood. She said, "Rastus come on in here and let dem white children alone, as soon as they get the 'lasses' licked off yer bread they will call yer nigger and throw rocks at yer."

That is the way some of the Republicans will do us the first time they find the "lasses" gone.

The only objection I have to this administration in any form is the inability of some to see it as the old Negro woman saw her problem.

When capital had its foot on the neck of labor and the farmer was being made poorer by the year by the process of having to pay too much toll for everything he bought out of proportion to the price received for what he sold, there came upon the scene one who tried and tried to down oppression and lift the oppressed. He has had his ups and downs with varied degrees of success but full of hopes and good intentions, never giving up and always trying. I expect to stand by him now as in the past until he shall have had his full day in court and his present program become a reality or a defeat at the hands of the Republican organization aided by bolting Democrats from the Democratic Party program.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. COCHRAN. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, I find myself today in the company of a good many Members of the House who voted for H. R. 7730, which passed in July 1937, and who voted for H. R. 8202, which passed the House in August 1937, in reversing my position, because I believe the administration is trying to administer too large a dose, as the gentleman from New York [Mr. O'CONNOR] said the other day in opposing this bill. I am happy that the opportunity is given to me to explain my observations on this legislation. I am not afraid to give the President all of the secretaries that he needs. I am willing to give him 20 secretaries, if there be need and if the measure comes up again as an independent resolution; and I will go along with him to abolish agencies that are useless and overlapping and that are an expense to the Government. I have had some opportunity to study these bills since last session; and while I have a great deal of respect for the membership of the House, I am fearful of the cry that rings out in this debate that this is a measure to destroy the President. Let us talk in terms of the office and not the President. Let us talk in terms of the Executive and not Franklin D. Roosevelt.

I remember one gentleman who took the floor of the House in 1933, when the Economy Act was under consideration, to say that a vote against the measure was a vote to destroy Roosevelt. I had come fresh from the Chicago convention the year before as a Roosevelt delegate to the Democratic National Convention. I took my political life in my hands to prevent a theft of votes from the Ohio delegation away from Mr. Roosevelt. I voted for him on the third ballot that insured his nomination as President. I went back to my district and worked tooth and nail for him. I organized at my own expense, 60,000 voters into a Roosevelt League to assist in his election.

Despite the fact that, like the late Senator Huey Long, former Gov. James M. Curley, of Massachusetts, and other before-Chicago Roosevelt men who felt the lash of ingratitude laid on our backs by the administration, I still have respect for the President, and I go along with him like many men in this House in his efforts to improve the social and economic life of the Nation. I support him when I think he is right. I oppose him when I think he is wrong. I challenge any man to say that my opposition is political or vindictive. I have an independent voting record in this House that I am proud of. Franklin D. Roosevelt set an example of independence as a State Senator in New York. I have tried to follow his example. I remember in 1933, when the Economy Act was up for consideration in this House, the distinguished gentleman from Virginia [Mr. WOODRUM], who yesterday announced that he would not support this legislation, addressed himself to the majority side of the House and said substantially, "Be careful how you vote, this record goes to the White House tomorrow, be careful how you vote."

I remember this House gave Mr. WOODRUM the largest dose of booing any man ever got in the House. I did not join in the booing. I despise booing or hissing in any public assemblage, but the implication was there that unless you went along with the President, the old club of patronage would be held over your head, and many Members of that Congress, freshmen, in fear and trembling of the threat of patronage, succumbed to that appeal and voted for the Economy Act. It is significant that many Members who voted for that legislation were defeated in the following elections and in each instance those who voted against the act were reelected.

Mr. STACK. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. Not now. Those of us who voted against the Economy Act were not voting against Mr. Roosevelt. That was an act to effect so-called economies in Government. It was a cruel piece of legislation, to inflict, as you remember, a horizontal 15 percent wage cut on every Federal employee, at a time when commodity prices had not declined sufficiently to justify the wage cut, and to wipe out overnight the disability and compensation allowances of every World War veteran. It caused more trouble and placed thousands of veterans in the bread line and on the relief rolls of their community than any piece of legislation sponsored by the Roosevelt administration. Within 18 months after the passage of that Economy Act Congress wiped it out because we knew it was sponsored by the Economy League of New York, made up of men whom the President later called economic royalists. They sponsored it because they wanted Mr. Roosevelt to set an example in governmental economy so that the United States Steel Trust and the great corporations of the country could impose a wage cut on their employees by pointing to Uncle Sam as their alibi. They did it to the tune of 10 percent in less than a month after the so-called Economy Act was passed.

Oh, I have been through this fight before, and when they drag across the trail the red herring—you are about to destroy Roosevelt—it does not bother me. I am not concerned with the question of patronage. I have seen men from Virginia, men from Texas, men from North and South Carolina, men from Alabama, come up and take Federal jobs in my back yard with my own people standing idle in the market place looking for work, punished because their Congressman refused to vote for unsound legislation. Not only is it true of my district, but it is true of many districts throughout the country. But my people know that patronage has never motivated me. I made my appeal for election to my people solely on my record, and I am here again, as I was in the last Congress, because my people have confidence in my integrity and independence.

In view of the remarks the other day of the distinguished gentleman who is presiding as Chairman of the Committee of the Whole, the distinguished gentleman from Massachusetts [Mr. McCORMACK], whom I consider one of the most valuable Members of Congress, I must go a little further. The gentleman from Massachusetts [Mr. McCORMACK] arose the other day and drew another red herring across the trail when so dramatically and brilliantly he raised the charge that there was propaganda organized in hatred, malice, and intolerance, spread throughout the country to arouse the leaders of the great Catholic Church on the subject of education. I know something about some of that propaganda. It was my privilege on my own responsibility to make contact with the leaders of educational institutions in this country, many of them during the past week. It was my privilege, and on my own responsibility, to express my opinion and make contact with the leaders, sectarian and nonsectarian, in the educational field who were not of the church that has been referred to. My opinion from a study of H. R. 8202, the bill to create a department of welfare to include the department of education was that in making reference to the new department of welfare, this was de novo legislation, new legislation, and the words "to promote education" standing alone, without clarifying language or limitation of power, would make pos-

sible the creation of a Bureau of Education and possible standards of education imposed upon all the schools of the United States. One does not have to be a lawyer to understand the general grant of authority implied in that language. "To promote education," standing alone, is loaded with the implication that the welfare department or a sub-agency thereof could set up a Bureau of Education, promulgate standards of education that would conflict with the curricula of the independent schools, the private schools, and interfere with the curricula of boards of education in the several States.

I think my friend, the gentleman from Pennsylvania [Mr. STACK], in his humble, simple, eloquent way stated the cause—for those of us who were responsible for getting the concession from the committee the other day that the word "education" would come out by amendment—when he said: "I want to reserve to myself and my good wife, Mrs. Stack, the right to educate our five little children the way we see fit without interference from a Federal or State Government." That is the thought in the breast of millions of the citizens of this country today. [Applause.] I respect the viewpoint of some distinguished clergymen and educators who felt there was no cause for alarm. However, I believe that the great majority of the educators and the parents of children who possibly may be regimented feel about this question as I do. That eternal vigilance is the price of liberty.

Do you think for a moment the committee made a concession when they agreed to strike the educational agency from the bill? If it was wrong in the first instance to put that in there—and it was admitted by the gentleman from Massachusetts [Mr. McCORMACK] who stated the other day he advised the committee to strike it out some months ago—why was it inserted in the first instance? If it was wrong then it is wrong now; and I challenge the committee to leave it in. The only way the concession was brought about was because the distinguished gentleman from North Carolina [Mr. WARREN], a member of the committee, a gentleman for whom I have the greatest respect, an able Member of this Congress, took the floor and said, supplementing what the gentleman from Massachusetts [Mr. McCORMACK] said, that a false campaign conceived in hatred, bigotry, and intolerance was directed against this feature of the bill: that they were going to take it out to put the opposition on the spot to see if they were sincere in opposing the reorganization bill. That is not a concession. I will tell you why they took it out. They took it out because the Nation was aroused like it never has been aroused before. Not only Catholics, Lutherans, and members of other religious sects, were aroused, but men of nonsectarian groups, men of no religious faith were aroused because they saw that the implication of power in the bill was dangerous. The committee, wise politically as they are, knew that if that provision stayed in not very many Democrats would come back to Congress after the next election.

The proponents of this measure attempt to win support for the bill by shouting about the organized propaganda against it.

Let me ask, what is wrong about propaganda? I have encouraged every group I have ever addressed to keep in touch with their representative in the Federal Government. I make several speeches each year before the postal and other Federal groups of employees. Being a member of the House Committee on the Post Office and Post Roads, of which the distinguished gentleman from New York [Mr. MEAD] is chairman, a man whom everybody in this House respects because of his consistent support of measures beneficial to the organized and unorganized workers of the country—I have this opportunity. I have said to these men as I say to every Federal employee, "Have no fear to write to your Congressman. Appeal to your Congressman to support legislation beneficial to your welfare and to defeat legislation detrimental to your welfare." There was a time when they could not speak to their Congressman; there was a time

when they did not dare write to their Congressman, under threat of dismissal from the service; but the La Follette anti-gag law obviated that.

Today the Federal employees do send telegrams to the Congress of the United States. The Members received a flock of them last month when the Treasury and Post Office Department appropriation bill was being considered. You will recall the Mead amendment for an additional appropriation of \$1,000,000 respectively for clerk and carrier hire over the amount provided in the bill. Was that organized propaganda? Was that purchased propaganda? I am sorry our President used that word "purchased." It only shows he is human. He gets excited like the rest of us; and, in due time, I know he will reconsider the word "purchased."

Every time the American Federation of Labor has a measure coming up for consideration in the Congress it will send word to every business agent throughout the length and breadth of the land stating, "Wire your Congressman. Wire your Senator" in support of or defeat of certain measures. That is the constitutional right of petition. The veterans exercise this right; every group and citizen has this prerogative. May I say there may be some crackpot letters come to our offices. There always will be. There may be some fake telegrams come to our offices. That will always happen. Some Members would indict the senders of legitimate letters and messages because of a few nonresponsible communications. The other day someone read a wire addressed to Congressman DALY, of Pennsylvania, purportedly signed by a political leader back in his district. This was declared a forgery. That we can expect, but not very often. When you say this avalanche of protests is not sincere propaganda, I challenge those who make the statement to answer back each telegram of those men and women who pay 40 cents on an average to send you a telegram, answer them back by letter or wire and say, "I think your letter or wire was conceived by false propaganda." Do that and see how far you will get. [Applause.]

Mr. STACK. Will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from Pennsylvania.

Mr. STACK. Does not the distinguished gentleman from Ohio, sterling Democrat that he is, believe that the Democrats on the floor of this House who are going to vote against this bill are really going to help the President?

Mr. SWEENEY. I think the gentleman is absolutely correct.

Mr. Chairman, do you think that our colleague FRITZ LANHAM, of Texas, distinguished scholar that he is and who has the respect of everybody in this House; that our colleague, JOHN O'CONNOR of New York, good old war horse that he has been for years, and personal friend of President Roosevelt; that our colleague, Judge WOODRUM, of Virginia, who has carried the administration's fight on this floor time and time again, are out to destroy the President? Not a bit. These men are men of conviction. They are men of courage and it takes courage now when the issue is made, when the smoke screen is created, that this is a move to destroy the President.

I will tell you why the people are jittery about this bill. They expect this Congress at a time when 10,000,000 men are out of work to get down to brass tacks and do something for the unemployed, to give some assistance to business, to do something for the youth of America who are coming out of the high schools, colleges, and universities by the thousands each year, with their M. A.'s, A. B.'s and Ph. D.'s, all dressed up but no place to go. We find them in the ranks of the W. P. A. We find them in the C. C. C. camps. The Government, while not responsible for this state of affairs, might well be considering means to correct the evil. The people are asking us to correct this situation so far as we can. They are asking us to provide loans for small industry; to bring about a consumer purchasing power; to do something constructive and not take the time of the Congress with this kind of a measure, which effects

no economies and has only caused confusion throughout the Nation.

The other day the House for the first time since I have been here threw off the yoke of gag rule. No longer can this be called a rubber-stamp Congress. Friday was independence day in this House. At that time the House voted down the motion to limit debate after the Senate had spent several weeks discussing a similar issue. I trust the House will continue to function in the same independent spirit that it showed the other day.

Mr. Chairman, we have come to the time when we have got to act intelligently. We have come to the time when we have to realize there is a fear in the country, whether it be right or wrong. The people of the United States read the newspapers. They read the headlines at least, every day, of the conditions existing in a disturbed world. They read of the advance of Hitler into Austria, the rape of Austria, the horrible conflict in historic Spain, the holocaust in the Orient, and they are thinking seriously—can that happen here? Will it happen here? No, not under Roosevelt, because I have a lot of confidence in his statement that he will never aspire to be a dictator. But that is not the issue. It may happen at some future time. At a time in the distance some gentleman who may have the philosophy of Hitler or Mussolini may occupy the White House. If the Congress, the people's branch of the Government, surrenders its powers then it can happen here.

This Congress controls the greatest liberties the American people have—the right to make the Nation's laws. The Congress is the agency of the people. This is the people's Congress. It can create, it can destroy, and it can change, but it should never give up its prerogatives. I hope you will maintain this independent spirit, and I hope we may have honest, ample debate on every subject that may come before this body for consideration.

Several million people of the Nation are wondering, when 140 Congressmen petitioned the great Ways and Means Committee to be heard on behalf of a better old-age pension law for those who are in distress, why they were denied by the administration that opportunity; why they were denied the right to speak through their Representatives in their own Congress. These are facts, and no one can deny them. An injustice has been done to the advocates of the General Welfare Act, H. R. 4199.

Mr. Chairman, I close with this letter which came to me today. It represents my views on this bill; and I think the Members would do well to support the motion which will be offered by the gentleman from New York [Mr. O'CONNOR] to strike out the enacting clause, so that this measure may be brought in at some other time when we can have ample consideration, free from the temper of the country as it exists today. These are my feelings as expressed in a letter I received from a man I do not know from Adam. The letter came to my desk this morning; probably other Members received a like letter. It is dated Montclair, N. J., April 4, 1938, and reads as follows:

Regarding the pending reorganization bill, I would say in my opinion, no individual, no matter how good or how good his intentions are can safely be entrusted with too much power, as power like too much champagne or too much whisky goes to a person's head.

The best way to protect democracy in this country is for Congress not to surrender any of its power.

In my opinion the wisest thing for Congress to do would be to defeat this bill, and then adopt a new bill of its own, and not have it drawn by college professors, and pass it at next session of Congress.

I am,

Very truly yours,

WM. MCCRAVEN TODD.

Mr. Chairman, I thank God I am a citizen of these free United States. I thank God that we as representatives of the people in the United States Congress can rise on this floor and honestly criticize the Chief Executive or any other officer or agency of the Federal Government without being afraid of being taken from this Chamber by some goose-stepping military—stood against a stone wall and liquidated.

It is my opinion that no matter how this bill is perfected by amendments or otherwise the public at large will construe it as an unwarranted delegation of power to the Executive. Under the circumstances, Mr. Chairman, my vote is recorded against the present reorganization measure. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, I rise in support of an amendment, which I propose to offer at the proper time, that would exempt the Veterans' Administration from the provisions of this bill. The amendment reads as follows: Page 43, line 24, after the words "General Accounting Office", insert a comma and the words "Veterans' Administration."

This is the same amendment that the distinguished gentleman from Indiana, the ranking member of the World War Veterans' Committee [Mr. GRISWOLD], addressed himself to earlier in the consideration of this bill.

As the Chair is aware, as soon as he was appointed to preside over the House during the hearings on this reorganization bill, I promptly approached him and sought recognition to offer this amendment at the proper time. This permission was very generously granted by that distinguished friend of the veterans, who now presides in the Chair, Mr. McCORMACK, of Massachusetts. At that time I was not aware that others in the House who are interested in the cause of the veterans were considering offering such an amendment. But having arranged for the recognition, it is my purpose to proceed with it at the proper time.

In this connection, and to the end that the amendment might be written into the law, I have from time to time during the past several days contacted the distinguished gentlemen who compose the committee sponsoring this reorganization bill. I have pointed out to several of them individually that, in my judgment, it would be wisdom on their part to accept the amendment. It has been argued that it is not the intention of the Chief Executive to disturb the Veterans' Administration or to transfer its activities, in whole or in part, to some other department. In fact, when this bill was being considered in the other branch of the Congress assurances were given by certain sponsors of that legislation that it would not be disturbed.

If it would not be disturbed then what objection can there be to the adoption of the amendment? If no one intends or has any desire to disturb the present set-up affecting the lives and welfare of thousands of our former comrades in arms, by what line of reasoning can it be argued that any harm can come by specifically exempting it? I assume that it was not the intention of the Chief Executive or anyone else in authority to change the status of the Interstate Commerce Commission, the Federal Trade Commission, the Federal Power Commission, the Securities and Exchange Commission, and a long list of other commissions and departments that were specifically exempt in the provisions of the bill under title I. It being the purpose not to interfere with these departments, they are specifically exempt in the bill. Then why can we not do as much for the Veterans' Administration? If it is not the purpose to disturb it, then let us say so by affirmative law and not merely by verbal assurances.

In this connection, Mr. Chairman, may I not point out that the memory of the Economy Act is still fresh in our minds? Representatives on the floor of this House recall that when that legislation was being considered we were given certain assurances by its sponsors that certain things would not happen. I do not impugn the motives or the sincerity of those in charge of that piece of legislation then, nor do I impugn the motives or good faith of those who would give the assurances under this legislation today. But I do recall that it took affirmative action of the Congress in the form of enactment of laws subsequent to the passage of the Economy Act to give those assurances the vitality and save them many hardships and abuses that those assurances were supposed to safeguard. There is an old saying that a "burnt child dreads fire." We do not propose to be caught off guard on this proposition as on that.

The representatives of the various veterans' organizations with whom I have discussed this matter are unanimous in their desire to have this amendment enacted into law. And so far as I know or am informed, the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and all veterans' organizations favor it without exception. They do not distrust our great President. They do not distrust the sponsors of this legislation. They are merely being practical. They say, "If we are not going to be disturbed then put it in the law so we can forget it and will know that we are on the same footing with these other commissions and administrations that are exempted." And so, Mr. Chairman, I think that the committee in charge of this legislation should be practical. They should accept the amendment. Certainly it cannot injure their cause and the objective that they seek in the passage of the legislation. On the contrary, they have every reason to believe that it will enhance the enactment of the legislation into law. But if the committee should not see fit to be thus practical, then I appeal to the House to be practical and let us stand with the veterans of the country and their duly constituted legislative officers who want to see this amendment written into the law.

Mr. TABER. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Chairman, we have had a lot of fun here this afternoon listening to the distinguished gentleman from Kentucky [Mr. CREAL] reply to the distinguished gentleman from Missouri [Mr. SHORT]. It happens that 2 years ago I had the privilege of visiting in the home city of the gentleman from Kentucky and addressing a Democratic audience in that famous courthouse there in the county where Abraham Lincoln was born. I believe it is well enough for us to keep in mind as we consider this reorganization bill the fact that some of the great leaders of this country have come from humble surroundings, and one great President who served during a period of great crisis in our Nation was born in a log cabin in rural Kentucky and had little education except that which he acquired for himself by diligent effort. Of course, there are those in this country who believe, and sincerely believe I may say, that only the supereducated ought to have anything to do with government. I think some of that thought is back of some of the things in this so-called reorganization bill.

This is not the first time I have faced the question of reorganization. In 1928, as a member of the general assembly of my home State and under the leadership of my distinguished colleague the gentleman from Georgia, Mr. PETERSON, of the First Georgia District, we drafted a reorganization bill which we presented to the house of representatives, not to give the Governor of Georgia authority to reorganize the executive branches of our State government but to reorganize them by statute. It is true the bill did not pass in that session of the legislature, but 2 years later the legislature did pass a bill reorganizing the State government of Georgia without the necessity of delegating authority to the chief executive of that State. I am, therefore, not opposed to reorganization, but I am reserving to myself the right to pass upon the content of any bill for which I may vote.

I may say in that connection I have listened with a good deal of interest to the speeches made here in this body by the leaders on my own side of the House, in which they have undertaken to make this an issue of for or against the President of the United States. I am willing to lay my record in this Congress alongside the record of any other Democrat here and have the people of my district judge whether or not I have been loyal to the leader of my party. I have not followed everything he has recommended. If the people of my district permit me to stay here, I do not intend to promise them or anybody else that I am going to follow, without question, the recommendations of any man, any faction, or any group. [Applause.] May I say to the leaders who have

charge of this bill—and I believe they are all conscientious—that those of us who are attempting to write amendments into this bill can no more fairly be charged with being against the President of the United States than can we fairly charge that they are against the President of the United States in the bill they have brought to the House. The President sent to this Congress about a year ago or a little over a report of a committee on organization, which I hold in my hand, entitled "The Report of the President's Committee," of which Mr. Brownlow was chairman. The President recommended to this Congress the enactment into law of that committee's recommendations. I challenge any member of the Reorganization Committee to rise on this floor and say the committee has followed in toto more than one recommendation made by the Brownlow committee.

Mr. COCHRAN. The committee will absolutely agree with the gentleman that we did not follow the recommendations of the President's committee and, further, the President has never asked us to follow the recommendations of that committee.

Mr. RAMSPECK. I thank the gentleman for that observation. I understood that to be the position of the committee. Therefore, I say those of us on the Democratic side who believe further changes should be made in the bill drafted by this committee have just as much right to that opinion as the gentleman from Texas, our beloved majority leader, has to his opinion or the members of this committee have to their opinions.

Mr. ROBERTSON. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Virginia.

Mr. ROBERTSON. Did not the Brownlow committee in addition to recommending a particular type of reorganization recommend that the Congress stop appropriating for specific items and appropriate lump sums?

Mr. RAMSPECK. The gentleman may be correct about that. I do not recall about that particular point.

Furthermore, may I point out for the RECORD and for the information of the Members of the House who are still here at this late hour that this Committee on Government Organization, as far as I have been able to find out, held no public hearings, invited nobody except a selected list of witnesses to appear before the committee, and, as far as my knowledge goes with reference to the civil-service matter, consulted no Member of the House either on the Democratic or Republican side with reference to the provisions the committee wrote into this bill.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman just for a question.

Mr. COCHRAN. The gentleman cannot deny that I requested him to get in touch with the gentleman from New York [Mr. MEAD] who was chairman of the subcommittee handling the civil-service bill.

Mr. RAMSPECK. I so stated in the speech I made here a day or two ago, but at that time the committee had formulated its bill and had closed the hearings, and the minds of its members were made up.

Now I am not particularly concerned about that feature of it except to this extent, Mr. Chairman. I think under the situation we have in Congress it is unwise to delegate the writing of legislation to special committees that are not familiar with the subject matter which they must consider, and this has no reference to the gentlemen on this committee because I made this same statement before the Rules Committee when they were considering the resolution creating this special committee, and I do not mean in any way to reflect upon the gentlemen. They are fine gentlemen and my friends, and I think they have done a good job insofar as the changes they have made in many respects in the Brownlow report are concerned.

I will just point out one reason why I say you ought to leave these matters in the hands of the committees that

have made a study of them over the years. The economy bill that was brought in here in 1932 or 1933, I forget now which bill it was, permitted the executive branch of this Government to retire Federal employees on an annuity, if they had 30 years of service, regardless of their age. This was done in the name of economy and they retired about 9,000 of them, and it is going to cost the Government \$109,000,000 before we get through paying them. Every one of those places has been filled, so this was a dead loss to us, because the committee handling the legislation did not understand how the Retirement Act operates.

I am not going to try to read the Brownlow report, although I have it here before me, but the first provision provides six additional secretaries for the President, and this is the only recommendation that this committee has carried out in accordance with the report. I am not going into detail as to the other recommendations. It has been admitted here that my statement is correct, but I do want to discuss for a few minutes what the Brownlow committee recommended and what the President approved with reference to civil service, and then show what this committee has brought here, to show you that the thing I am advocating comes nearer what the President recommended than does the bill brought here by this committee.

The Brownlow committee recommended the abolishment of the bipartisan Civil Service Commission, the setting up of a board composed of seven members to be appointed for staggered terms so they could not all expire during one administration, and that this advisory citizens' board of seven should hold a competitive examination, the examination to be graded by special people selected for that purpose and from that examination three names were to be sent to the President of the United States from which he should appoint a single civil-service administrator. Can you find that in this bill?

They also recommended that this advisory board have the right to appoint an expert staff to make its own independent investigations, and you cannot find that in this bill.

Mr. FRED M. VINSON. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. FRED M. VINSON. As I understand, that will be incorporated in an amendment that the gentleman from New York [Mr. MEAD] will offer, and which has been placed in the RECORD.

Mr. RAMSPECK. I am pleased to hear that such an amendment is to be offered because without independent authority, without their own staff, both in Washington and in the field, this advisory board would be nothing but a social, pink tea gathering when they met here every 3 months.

Mr. FRED M. VINSON. And I may say the committee has agreed to that amendment.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. HOFFMAN. If that amendment is incorporated, has the gentleman any idea it will be in the bill when the bill comes back from conference?

Mr. RAMSPECK. I cannot answer that, I will say to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman has been here a long time.

Mr. RAMSPECK. Of course, I realize whatever bill is finally passed on this subject will be a bill written in conference.

Mr. FRED M. VINSON. Is there not a provision similar to that in the Senate bill?

Mr. RAMSPECK. Yes.

Mr. FRED M. VINSON. And if there is, under the rules of the Congress it cannot be taken out.

Mr. HOFFMAN. I thank your honor, the judge.

Mr. FRED M. VINSON. Motion overruled. [Laughter.]

Mr. HOFFMAN. I thought it would be, if it was sensible. [Laughter.]

Mr. RAMSPECK. The Brownlow committee also recommended that the single administrator be given the power to organize and direct a central personnel agency, and that is not in this bill.

Now, I propose to offer an amendment when the time comes in the reading of this bill to retain the bipartisan three-person Civil Service Commission created 55 years ago by the original act and to set up under that board, selected by that board, as recommended by the President and the Brownlow committee, by competitive examination, a civil-service administrator, to whom shall be given the executive powers of the civil service only. The Civil Service Commission has certain legislative powers, it has certain semijudicial powers, it exercises appellate jurisdiction from the divisions in the Civil Service Commission, and those powers should not, in my judgment, be delegated to any single person.

Mr. FRED M. VINSON. Did I understand the gentleman to say he favored, and his amendment would contain, a provision calling for an examination to select the civil-service administrator?

Mr. RAMSPECK. Yes.

Mr. FRED M. VINSON. Does not my friend from Georgia admit that immediately that is the law you exclude automatically many of the best men that could be obtained to fill the position of administrator of the civil service—men who would not take the examination; and is it not likely you might get this college professor who could pass a good examination that we have heard so much about?

Mr. RAMSPECK. No, I do not agree to that. I say to the gentleman that I think you can get a splendid executive head for the administrative features of the law by examination, just as we have gotten them in the Interstate Commerce Commission and in the Federal Trade Commission and in other agencies of the Government.

Mr. FRED M. VINSON. Oh, the gentleman will not say that Commissioners of the Interstate Commerce Commission are appointed after civil-service examination.

Mr. RAMSPECK. Oh, I am not talking about the Commissioners in these agencies, I am talking about the chief clerks and others who head the different divisions and branches of the agency.

Mr. FRED M. VINSON. But the Brownlow report contained a proposition of selecting an administrator by civil-service examination, and we maintain, or at least some of us do, that that would automatically exclude men big enough to do that job because they would not put them in competition with men who were looking for a job.

Mr. RAMSPECK. I just do not agree with the gentleman's theory about it. I think you could get a good man in that way, and I may say to the gentleman frankly that we differ as a matter of principle. I am not personally in accord with his view. I never will by my vote, if it stays in this bill, vote for any measure that will put a political appointee in charge of 800,000 Federal employees.

Mr. FRED M. VINSON. At the present time we have three appointees of the President in charge, two of one political party and one of the opposite political party.

Mr. RAMSPECK. The gentleman is correct about that, but we have a bipartisan representation, and that is the principle that I am fighting for here today.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mrs. ROGERS of Massachusetts. Is it not true that in appointing these three Commissioners they are not all selected from one section of the country.

Mr. RAMSPECK. That is true.

Mrs. ROGERS of Massachusetts. They are usually not all of one religion. We are a very large country and there are many religions and many different ideas.

Mr. RAMSPECK. That is true.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. ZIMMERMAN. Does the gentleman think that any big banking institution in this country, or some great cor-

poration like the General Motors, would ever go out and select a president of that institution by some sort of civil-service examination?

Mr. RAMSPECK. I think they could very well do it, and I think the personnel department of all these big corporations do almost the same thing. They make a real investigation of the people they select, but, of course, I do not compare a business institution with the Government. We have politics in the Government, and if we are going to have a merit system we have to have some method of making the game fair.

Mr. ZIMMERMAN. Does the gentleman not think in such cases that the appointment is made because of the ability of the man to fill the job and not because of his ability to pass any particular examination or requirement?

Mr. RAMSPECK. And who is going to test that ability?

Mr. ZIMMERMAN. That is the way I think a man should be selected to head this organization, rather than as a result of some examination, because, as suggested by the gentleman from Kentucky [Mr. FRED M. VINSON], a lot of men would not want to take a competitive examination.

Mr. CURLEY. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. CURLEY. The gentleman is chairman of the Civil Service Committee, of which committee I have the honor to be a member, and in my opinion I think he is taking an opposite position in connection with this proposed bill to what he did with his own bill on which we had a number of hearings. However, I do not want to take that matter up now, but I want to state about my experience with civil service—

Mr. RAMSPECK. Oh, I cannot yield for that purpose.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. COCHRAN. Does not the gentleman feel that one way to play the game fair is to give the practical man the same opportunity as you would give the college graduate?

Mr. RAMSPECK. Absolutely, and that is one of the reasons I am opposed to this plan you have, because I know some of the people back of this proposal want to make the civil service a place where nobody but a college graduate can enter, and I shall not submit to that. I think a man who educates himself ought to have just as much opportunity to take a civil-service examination as a man who holds a college degree.

Mr. COCHRAN. And the gentleman knows that I have been helping him along with that idea.

Mr. RAMSPECK. Yes.

Mr. COCHRAN. And letter after letter has gone from me to the Civil Service Commission demanding that they give the practical man the same opportunity as the college graduate, and not eliminate someone by saying that he must have 3 or 4 years of college.

Mr. RAMSPECK. And the very people back of the proposal are the people who want to close the civil service to everybody who is not a college graduate. Under this bill we are preparing to give to one man the right to fix the examination requirements and the salaries for several hundred thousand positions in the Government service, because at the present time the Classification Act, which is administered by the Civil Service Commission, covers only a comparatively few thousands out of the 800,000 people we have in Government service today.

Authority is given in this bill to extend the Classification Act all over the country. That would give authority to this single man to fix the salary of every one of these hundreds of thousands of positions, a pay roll which runs to over \$1,000,000,000 a year. That is the power this committee is prepared to give to one person.

My friend the distinguished gentleman from New York [Mr. MEAD] the other day discussed the question of certain of our States and certain other countries that had one-man civil-service administrations. Yes; they had a single civil-service administrator in Australia and they practically wrecked the civil service over there. They repealed that law and set up a commission of three. The gentleman spoke about States that had recently enacted legislation. Here are

the facts as given by the president of the Civil Service Commission, and I think they are correct:

While it has no particular bearing on the sort of administration to be provided for the Federal civil service, Mr. MEAD refers to the adoption of civil-service laws during the past 2 years in Arkansas, Connecticut, Maine, Michigan, and Tennessee, and he appears to be under the misapprehension that these States have provided for a personnel director instead of a commission. Arkansas, Maine, and Michigan specifically created civil-service commissions to administer their laws. Connecticut, while having an individual personnel director, also provides in the law that there be a civil-service board composed of the heads of the operating departments of the State government. The board is not a quarterly board as provided in Mr. MEAD's bill but is one that is on the job all the time. Tennessee has placed the administration of its law in the existing department of administration under the State personnel director, who is to serve as administrative head of the division of personnel.

So the record discloses that not a single one of those States has adopted the one-commissioner plan as the gentleman from New York indicated, I am sure under a misapprehension.

Other questions have been raised here in regard to the present Civil Service Commission. It has been charged that the Commission has done nothing to bring about improvement in the conduct of employee relationships and in the establishment of adequate machinery for dealing with employee grievances. The present Commission under the present law has no such authority. They had the authority in their own organization and they have set up a method of conciliation to deal with grievances among the employees of the Commission.

It has also been charged that the Commission has done nothing to promote safety programs and health and working conditions in the departments and establishments. I point out to you that the Civil Service Commission under the present law has no such authority and could not make any effort along that line.

Then the question has been asked, "What has it done to assist the advancement of employees to honorable careers within the service through improved promotion and transfer systems?" The answer to that is that time and time again the Commission has asked Congress to give it authority. It has asked the President to issue Executive orders setting up such a system. They have asked for the money and the authority to carry out such recommendations.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mrs. ROGERS of Massachusetts. Is it not true also that the President issued an Executive order preventing any promotions?

Mr. RAMSPECK. I am not familiar with that Executive order.

Mrs. ROGERS of Massachusetts. Such an Executive order was issued at one time.

Mr. RAMSPECK. I feel very strongly about this matter. I have devoted a good deal of time and effort to the civil-service question. I have been a Member of this House 8 years and a member of that committee all that time. If the House adopts this provision in this bill, it ought, in fairness to those of us who believe in civil service, to change the name of this administrator from "civil-service administrator" to "patronage administrator." [Applause.] Under this set-up you will have not the slightest protection, not the slightest check on this administrator. He will have all the power of law subject to no one except the President of the United States. I think it is time, my friends on my side of the House, that we might as well remember that the Democrats will not always be in power and that this legislation we are considering is not temporary legislation to go out of existence when the present occupant of the White House leaves, but that we are enacting legislation to hold over into the next Presidential term with the possibility that it may be exercised by the opposition party. I am not willing to submit the Democratic employees in the civil service to the action of a Republican President, who might be against civil service; I am not willing

to have them at his mercy. I hope the Members of Congress on the Democratic side will not take part in doing that injustice, as I see it, to the civil-service employees.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield for a question.

Mr. ANDRESEN of Minnesota. It is proposed under civil-service regulations provided in the bill to put 200,000 employees into the civil service by noncompetitive examination.

Mr. RAMSPECK. That is correct.

Mr. ANDRESEN of Minnesota. Does the gentleman understand that that is according to the merit system?

Mr. RAMSPECK. No, not entirely; but I may say to the gentleman from Minnesota that I had a bill to bring them in by competitive examination. I found, however, that it was impractical for it would cost \$6,000,000 and would disrupt the service while the changes were being made.

I was convinced against my better feeling, that that was the way it should be done, but it was not practical. It has never been done except in one instance during the Coolidge administration with any group of considerable size by either party.

Mr. ANDRESEN of Minnesota. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. Suppose this law passes and these individuals are blanketed into the civil service by a noncompetitive examination and we get another administration. What might happen to those 200,000?

Mr. RAMSPECK. That administration might let them go and I think probably would.

Mr. ANDRESEN of Minnesota. They would be justified in doing that.

Mr. RAMSPECK. Mr. Chairman, the gentleman from New York has made the best argument he could about various organizations supporting this civil-service provision. You know, these organizations are somewhat like we Congressmen. Occasionally they make the mistake of committing themselves to something by name and number, and I think many of them are in that position in reference to this proposition. Some of them were so anxious to get on the band wagon last year that when the Brownlow report came out they immediately said, "We are for that"; then, when the committee brought in something entirely different in principle—in other words, when it brought in the single administrator who is a political appointee instead of a merit appointee—they could not back up and explain to their constituents.

I may say that the American Federation of Labor and all its affiliated groups, including the postal workers and other organizations in the Federal service, are not for this provision as written in the House bill. You may wonder why you are not hearing from some of the leaders in the postal groups. I am going to tell you a little secret about that because it shows a spirit that is commendable. They think so much of the gentleman from New York [Mr. MEAD] that they are not willing to do or say anything that might hurt or offend JIM MEAD. That is the reason the leaders of the National Federation of Post Office Clerks, the National Association of Letter Carriers, and the Railway Mail Clerks are not in your office every day with the request to oppose this thing. They do not want it any more than the American Federation of Government Employees wants it.

Mr. Chairman, this letter from which I have been quoting about Mr. MEAD's statement was written to the Honorable William Green, president of the American Federation of Labor, under date of February 1, in reply to a letter written to Mr. Mitchell by Mr. Green.

In conclusion may I say that all sorts of pressure will be brought to bear on you, as has already been done to some extent, to follow the President of the United States. I believe in giving the benefit of the doubt to our leader, and I have always tried to do that, but as I look back over the

last 26 or 27 years, I remember that 27 years ago this week I came to Washington and took a job over here in the old House Office Building as the first Democrat to get into the House Post Office during the Taft administration, when the Democrats got control of the House.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. RAMSPECK. Mr. Chairman, the Democrats organized this House with Champ Clark as Speaker and with Oscar Underwood as floor leader. All down through the years I have heard that same plea, just like a lawyer always tries the other lawyer when he has a rotten case. They come here and say, "Stand by the President," yet the men who are left in Congress today, of those who were here in 1911, when I first saw Congress in session, are the men who have had the courage and the conviction to do what they thought was right. [Applause.] You know that is true.

No party has ever stayed in power simply by following the leader, right or wrong, and the Democrats are not going to stay in power by that method. We cannot disregard the public opinion of this country, Mr. Chairman, and the people of the United States are aroused over this bill. Whether it is justified or not, they are afraid, they are fearful of what the consequences might be from this bill; therefore I say to you that if I were President of the United States today I would withdraw this bill in deference to the public opinion in this country. [Applause.]

I am not afraid of dictatorship from Franklin D. Roosevelt. In fact, I am not afraid of dictatorship in this country from anybody as long as we exercise our rights here as Representatives of the people and reflect the sentiment of the people who send us here. If we do that, this country will be saved. I think we ought to exercise our right to judge this legislation upon its merit and to vote for such amendments as we think are necessary and beneficial, then vote upon the final draft of the bill as we see fit, and not on account of some fancied question whether we are for or against the President of the United States. Of course, as Democrats we are for the President. Of course, we want to see him succeed. We want to see this administration successful, but you cannot make it a success if you are going to enact legislation to which the people are opposed and if you are going to create so much fear in the minds of the people of this country that they will have no confidence in government, then you are going to destroy your party and you are going to do a great deal of damage to the country. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. SADOWSKI].

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. Does the gentleman from Michigan [Mr. SADOWSKI] yield to the gentleman from Michigan [Mr. HOFFMAN] for the purpose of submitting a parliamentary inquiry?

Mr. SADOWSKI. I yield to the gentleman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOFFMAN. While the gentleman from Georgia was speaking, I asked whether or not if amendments to this bill were agreed to and the bill sent to conference, those amendments could be wiped out in conference. The gentleman from Kentucky [Mr. FRED M. VINSON] made the reply that if the amendment were contained in the House bill and also in the Senate bill it could not be wiped out in conference. My parliamentary inquiry is this. In view of the statement in the manual that when an amendment strikes out all of the bill after the enacting clause and substitutes a new text the bill may be rewritten in conference, and in view of the statement that this bill strikes out all after the enacting clause and inserts the part printed in italics, may not the bill be rewritten in conference?

Mr. SADOWSKI. Mr. Chairman, I refuse to yield further.

Mr. HOFFMAN. Mr. Chairman, the gentleman did yield to me.

Mr. SADOWSKI. I refuse to yield further. I did not know it was going to come out of my time.

Mr. HOFFMAN. I beg the gentleman's pardon, I thought he did. I should like to be recognized on this point, then, if the Chairman please.

Mr. SADOWSKI. Mr. Chairman, I refuse to yield.

Mr. HOFFMAN. I was on my feet before the gentleman from Michigan was recognized.

The CHAIRMAN. The Chair may state to the gentleman from Michigan that the inquiry the gentleman was attempting to make is a matter to present to the Speaker and not to the Chairman of the Committee of the Whole.

Mr. HOFFMAN. I thank the Chairman.

Mr. SADOWSKI. Mr. Chairman, I am pleased the gentleman from Georgia [Mr. RAMSPECK] is here because I am going to confine my remarks to the Civil Service Commission. Several days ago I took the floor in support of Senator McKellar's amendment providing for Senate confirmation of appointees receiving \$5,000 or more, and during the discussion I pointed out that the Civil Service Commission had for years been violating the provisions of the act as passed by Congress, providing that appointments to the public service shall be apportioned among the several States upon the basis of population ascertained at the last preceding census; that these violations had reacted most adversely against my State of Michigan. The gentleman from Georgia, the chairman of the House Civil Service Committee, immediately launched into an elaborate defense of the Civil Service Commission and in the course of his remarks stated that I was not well informed as to the activities of the Civil Service Commission. I do not pretend to be as well acquainted with the activities of the Civil Service Commission as is the House chairman of the Civil Service Committee. However, I do know facts when I see them and these facts are taken from the reports of the Civil Service Commission and cannot be denied either by the Commission or the gentleman from Georgia.

I know that the State apportionment law applies only to positions in the executive branch of the Government at Washington, and that the apportioned service constitutes only about 5 percent of the entire Federal classified service. It does not include positions in the field service such as those in local post offices, customs districts, and so forth.

On January 25, 1935, I wrote to the Civil Service Commission as follows:

JANUARY 25, 1935.

HON. HARRY B. MITCHELL,

Chairman, Civil Service Commission, Washington, D. C.

DEAR MR. MITCHELL: I desire to bring to your attention the unfair apportionment of civil-service employees in the Departments in Washington.

According to the provisions of the Civil Service Act appointments to the public service in the departments in Washington shall be apportioned among the several States upon the basis of population as ascertained at the last preceding census. Accordingly, Michigan should be entitled to 1,287 employees. At the present time Michigan has received only 499, or only 39 percent of the number that it is rightfully entitled to have under the act. We are entitled to have 788 additional employees under the civil service here in the Government departments in Washington. Michigan is one of the largest Federal tax-paying States in the Union. This discrimination is unwarranted and should be corrected immediately.

The report of the Civil Service Commission discloses that the District of Columbia, Maryland, Virginia, and Vermont have a total of 13,442, or over 40 percent of the entire number. The District of Columbia, which is entitled to only 129, has received 9,442; Maryland, which is entitled to 434, has 1,875; and Virginia, entitled to 644, has received 2,008. This distribution was made in direct violation of an act of Congress. I do not mean to infer that the present Commissioners of the civil service are responsible for this maldistribution that has taken place in the past, however, it is your clear duty to correct this situation immediately.

I know of my own personal knowledge that there are thousands of unemployed taxpayers and citizens in the State of Michigan who have filed and taken civil-service examinations and are on the eligible list.

These applicants should receive every consideration at this time to the end that the intent of Congress as expressed in section 2, of the Civil Service Act of 1883, be sustained.

Very cordially yours,

GEORGE G. SADOWSKI,
Chairman, Michigan Democratic Delegation.

This letter and the statistics therein were based on the report of the Civil Service Commission as issued in January 1933 and was written in January 1935.

Of course, I had hoped that my letter would bring favorable results, and I anxiously awaited the next report, which was issued in April 1935. I found then that not only had the wrong continued but, in fact, the situation was aggravated; so on April 24 I wrote as follows:

APRIL 24, 1935.

HON. HARRY B. MITCHELL,

Chairman, Civil Service Commission, Washington, D. C.

MY DEAR MR. MITCHELL: On January 25, 1935, I wrote to you and pointed out that, according to the civil-service report on conditions of apportionment on January 15, 1935, Michigan had 499 persons employed under civil service and was entitled to 1,287. I pointed out to you that I sincerely hoped that this unfair apportionment would be gradually corrected.

According to the report issued by the Civil Service Commission on April 15, 1935—3 months later—we find that Michigan is entitled to 37 additional appointments, or a total of 1,324, and only received 24 additional appointments during the 3-month period.

It appears, therefore, that not only has nothing been done to correct the unfair distribution of positions under civil service, but, in addition thereto, we receive only 24 out of the 37 additional that we were entitled to receive during the 3-month period just ended.

I feel it my duty to bring this matter strongly to your attention so that I may report to the people of Michigan that an injustice that had been perpetrated in the past has been corrected under the Roosevelt democratic administration.

Very sincerely yours,

GEORGE G. SADOWSKI, M. C.

I now wish to point out that according to the statistics taken from the Fifty-fourth Report of the United States Civil Service Commission for the fiscal year ending June 30, 1937, that this condition has still gone on without correction. During this period the number of employees under civil service have increased generally and the Michigan quota, or the number of employees that Michigan would be entitled to has increased by 328; or in other words Michigan was entitled to 1,317 in 1933 and in June 1937 it was entitled to 1,645 because of this additional increase.

In 1933 Michigan had 442 people on the civil-service rolls. It was in arrears 875. In June 1937 Michigan had 741 employees on the rolls, so it is 904 in arrears. It is true that we have gained 299 employees during this period, but at the same time it must be pointed out that our quota was increased by 328, so that in the final analysis the net result is that the abuses of the past have not been corrected and we have in addition thereto taken a loss of 29 employees that we are entitled to have under the increased quota.

I wish to further point out that at this time there are 40 States which are under quota and have not received the share of appointments that they are entitled to under the law. I wish to say further that according to this 1937 report the District of Columbia has 8,965 employees, while it is only entitled to 165; the State of Maryland has 851 employees while it is entitled to only 554; the State of Virginia, 1,966 employees while it is entitled to only 823.

Now there is no excuse for this condition. We have a serious unemployment problem and there are plenty of people who have taken civil-service examinations and are anxiously awaiting a call for service. It may be argued that it is difficult to discharge these employees who obtained positions because of the abuses of the civil-service law. To a certain extent I could agree with that argument, but I can see no reason why 351 employees residing in the District of Columbia, the States of Virginia and Maryland received appointments during the preceding year. These 351 appointments should positively have gone to the States under quota. There is no excuse for this whatsoever.

Concede that it would not be desirable to sever in wholesale numbers those employees from the District of Columbia, Maryland, and Virginia who have obtained employment through violation of the State apportionment law; still there is no way under the sun that anyone could justify a continuation of a violation of the State apportionment law and that is exactly what has happened. The Civil Service Commission admits in its annual report that the Michigan quota

has increased 328 since 1933 and only 299 have actually been appointed and that no effort was made to correct the previous inequity that existed; that in 1933 where we are entitled to 1,317 and had received 442 or a loss of 875, that no effort whatsoever was being made to correct that condition, and to add insult to injury they gyp us out of another 29 during the period of 1933 to 1937, and during the same time, mind you, they are still employing and putting on additional help from the District of Columbia, States of Maryland and Virginia, and in the last year they see fit to hire 351 new people from the District and the two above-named States.

Now mark this well: These unfair practices were not only used against Michigan but against a great many other States, and as I have stated before, there are today 40 States that have not received their fair and equitable share of representation in the Government service as provided for by law.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman from Michigan 3 additional minutes.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. SADOWSKI. Let me finish this statement.

Mr. LAMBERTSON. Mr. Chairman, I make the point of order that the gentleman is speaking out of order.

Mr. SADOWSKI. I refuse to yield, Mr. Chairman. I am talking on the civil-service feature of the bill.

Mr. LAMBERTSON. Mr. Chairman, I make the point of order that the gentleman is speaking out of order. The gentleman's statement has nothing to do with the bill now before the committee.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Michigan is discussing the civil service, the Chair observes. This is a matter contained in the pending bill. Therefore, the Chair overrules the point of order.

Mr. SADOWSKI. And so today under this much lauded system of civil service my State finds itself gyped out of 904 positions while the District of Columbia has been showered with 8,800 positions that it is not entitled to have under a positive and definite act of Congress.

It would be well if we would ascertain why it is possible for this commission or any other commission or bureau to override the written law by its own bureaucratic regulations. It would be well to obtain a list of the names of those employed by the Civil Service Commission itself showing the date of his or her appointment; the post-office address, including street and number, which the clerk or employee claimed as his or her residence; the place of birth of employee or clerk and the place where the civil-service examination was taken.

I have been informed that over 90 percent of the employees in the Civil Service Commission are residents of the District of Columbia and the States of Virginia and Maryland. Perhaps that is one of the reasons why it is so difficult to obtain honest apportionment for the other States. I would like to know why the Commission insists on calling examinations in States and in the District where they already have more than their full quota. Why do they insist on having appointments and reinstatements from Maryland, Virginia, and the District when they have no positions due them?

I would suggest to you Members of Congress from the 40 States who have been discriminated against to obtain from the United States Civil Service Commission reports on the condition of the apportionment. You owe it to your constituents and to your State to see to it that the law is observed.

In closing I wish to bring to the attention of the able chairman of the House Committee on Civil Service that his State is entitled to 988 employees and has only 631; that it is being gyped right now out of 357 appointments. Those are 357 appointments that ought to go rightfully and legally to citizens of Georgia. I spent my early days on a farm, but I never heard of a farmer pouring perfume over a manure pile. I would suggest to the gentleman from Georgia that he could render a great service if

he would insist on a correction of these abuses instead of trying to cover them up by making pretty speeches in behalf of the Commission. [Applause.]

Mr. TABER. Mr. Chairman, I yield 1 minute to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rise to ask a question of the Organization Committee.

It has been rumored in the press and otherwise that the Veterans' Administration would be exempted from the provisions of this bill and that the committee would accept an amendment which would continue it as a separate bureau as it is today. I hope that is true. Of course, I realize even if the Veterans' Administration is exempted the bill may go to conference and the Senate may kill the whole proposition. In my opinion, the only safe thing to do is to kill this entire bill in the House.

Mr. COCHRAN. I may say to the gentlewoman from Massachusetts that if the House agrees to exempt the Veterans' Administration and passes the bill and we go to conference, I feel confident the provision will remain in the bill. I believe the gentlewoman from Massachusetts certainly wants to keep one administrator in charge of the Veterans' Administration?

Mrs. ROGERS of Massachusetts. Yes; we want to keep it a separate bureau. It would be very unfortunate to have it swallowed up by any department or by such a large department as the contemplated department of public welfare.

Mr. COCHRAN. But the gentlewoman does not want one administrator in charge of the civil service?

Mrs. ROGERS of Massachusetts. I think that is a quite different thing. The Veterans' Administration has had a great deal of experience in connection with all veterans' affairs for years. Under the civil service you have every sort of activity, while the Veterans' Administration covers only one sort of activity. If it is decided fair and better for the veterans to have a commission at the head of the Veterans' Administration it should be written into the law by Congress, not by the Chief Executive.

Mr. COCHRAN. I believe the gentlewoman from Massachusetts, as well as the other Members of the House, can thoroughly understand the committee will stand solidly behind whatever amendments the committee recommends, if the House agrees to them and the bill is passed by the House.

Mrs. ROGERS of Massachusetts. Will the gentleman's committee recommend that the bureau be kept as a separate bureau, as it is today? I know the veterans all over the country want it to remain as it is. I am hearing from very many of them, and I have no doubt the gentleman has also.

Mr. COCHRAN. Of course, I could not speak for the committee, but I believe the indications, together with what has been said by the members of the committee in charge of that title, are that such an amendment is probably in the making. I do not think the gentlewoman will be disappointed.

Mrs. ROGERS of Massachusetts. I know the chairman of the Committee for Organization has always been interested in the veterans, but we must take no chances. First secure the amendment in the bill and then kill the entire bill in order to prevent its going to conference.

Mr. COCHRAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. McCORMACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill S. 3331, had come to no resolution thereon.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. Mr. Speaker, where a House bill, as in this case, contains a statement striking out all after the enacting clause of a Senate bill (S. 3331) and inserting the part printed in italics, and such a bill is passed here and sent to conference, may not the conferees write an entirely new bill so long as it is germane to the subject matter?

The SPEAKER. In answer to the parliamentary inquiry submitted by the gentleman from Michigan, the Chair will state that, of course, these conferees will be appointed under the general rules of the House. The presumption is there will be a full and free conference by the conferees on the differences between the two Houses, and the conferees may reach such decision as they may deem proper, but the Chair would not undertake to make an anticipatory ruling upon any action on the part of the conferees; in other words, the powers of the conferees are well understood by all Members of the House who are familiar with the rules, as the gentleman from Michigan must be, and there is nothing extraordinary in this situation with reference to the powers of the conferees.

Mr. FRED M. VINSON rose.

Mr. HOFFMAN. If the gentleman will permit, I think the Chair is in error in assuming I am familiar with the rules.

The SPEAKER. That may have been a violent assumption.

Mr. HOFFMAN. But in ruling on the agricultural bill, I understood the Speaker to state that where the House struck out all after the enacting clause of a Senate bill or where the Senate struck out all after the enacting clause of a House bill the conferees might bring in an entirely new bill.

The SPEAKER. The Chair has no recollection of making any ruling on that point in connection with any agricultural bill.

Mr. FRED M. VINSON. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. FRED M. VINSON. It was my understanding that the question involved was this: If there was language in the Senate bill and you had identic language in the House bill, then there would be nothing in conference in respect of that language and there would be nothing in disagreement.

Mr. HOFFMAN. Tell me this, if the gentleman please, where the House bill strikes from a Senate bill all after the enacting clause, as the House is here attempting to do with S. 3331, and the bill goes to conference, does the precedent cited under rule XLVI, section 530 and subsequent sections, at page 248 of the Manual and which reads—

Where the amendment in issue strikes out all of the bill after the enacting clause and substitutes a new text—

As it does here—

the managers have the whole subject before them . . . and may even report an entirely new bill on the subject—

Apply here?

Mr. FRED M. VINSON. When the House strikes out all after the enacting clause of a Senate bill, the Senate language certainly is in conference, and my statement to the gentleman was that if you had a paragraph in the Senate bill containing certain language and a similar paragraph with identic language in the House bill, there being no disagreement, nothing could be done about that language.

Mr. HOFFMAN. And where the House strikes out of the Senate bill, as we do here, all after the enacting clause may the conferees report an entirely new bill, as stated here, as I have just pointed out?

The SPEAKER. The Chair has answered the parliamentary inquiry of the gentleman from Michigan.

Mr. HOFFMAN. Under the permission to revise and extend I add the following:

It is very evident from what the Speaker has said and from what he did not say, and from what the gentleman from Kentucky [Mr. FRED M. VINSON] has said, and from what he did not say, and from the precedent cited, that no matter what amendments we make to the bill here, if it be passed and goes to conference the conferees, as stated under section 546 at page 248 of the Manual, "have the whole subject before them and may exercise a broad discretion as to details and may even report an entirely new bill on the subject."

That being true, with the knowledge we have of the pressure that is being put on Members to vote for this bill as is, and with the knowledge that the Senate is apt to demand its bill be passed, knowing as we do, if we accept the President's word that the Senate cannot be purchased by telegrams, and knowing that it cannot be purchased in any other way, and that, having considered its own bill for weeks, then insisted that it pass, unless we want the Senate bill, which clearly the House does not want, we should not be fooled by amendments offered as bait for votes, if they are so offered, but should kill the bill here.

We know what the people want. We cannot dodge our responsibility by amending the bill, sending it to conference, bringing it back in its original form, then passing it, thinking that the people have forgotten or are not watching. For once they are awake to the situation; they have all of dictatorship they want in the Old World. No seeds of that system do they want sown here.

EXTENSION OF REMARKS

Mr. MEAD. Mr. Speaker, I ask unanimous consent, in view of the fact that certain statements were made about Mr. Hoover's stand on a single civil-service administrator, as well as other comments, that I may be permitted to extend my remarks in the RECORD at this particular point and include therein Mr. Hoover's real stand on the matter, and also the stand of the President of his Civil Service Board, Mr. Campbell.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, under the permission granted me, I submit the following:

MEMORANDUM ON FORMER PRESIDENT HOOVER'S ATTACK ON THE PROPOSAL FOR A SINGLE CIVIL SERVICE ADMINISTRATOR

On November 13, 1937, former President Hoover, in an address at Syracuse University, attacked the provision in the reorganization plan for a single administrative officer, stating:

"And let me add a word upon the plan now before Congress for reorganization of the Federal Government. It proposes to abolish the Civil Service Commission, which has for 50 years given fine service and held high standards of training and freedom from politics in public service. The new plan proposes to substitute one-man control. No matter what the words of that bill may purport to mean it is clear that the plan is to destroy the progress we have made and substitute personal political control." (New York Times, November 14, 1937.)

Apparently Mr. Hoover overlooked the fact that he made the same recommendation to Congress on February 17, 1932, when he advocated the creation of a single personnel administrator, and the retention of the Civil Service Commission as an advisory body. In this message former President Hoover stated:

"I recommend, therefore, that the Congress provide for—

"(b) Adoption of the general principle that executive and administrative functions should have single-headed responsibility and that advisory, regulatory, and quasi-judicial functions should be performed by boards and commissions, thus permitting the transfer of certain regulatory functions from executive officials to existing boards or commissions and executive functions from boards and commissions to executive officials."

He went on to request that the President be authorized to make transfers, and that several new offices, including that of personnel administrator, be created. In commenting upon the proposed personnel administration, he said:

"The personnel administration should comprise various agencies relating to the personnel of the Government as a service agency to all departments of the Government. I recommend that the Civil Service Commission should be maintained as an advisory body to the personnel administrator, and the approval of this body should be required in all regulatory questions. The personnel administrator should be the chairman of the commission. Other functions relating to the personnel of the Government should be transferred to the personnel administration as may be deemed wise from time to time."

The following paragraph from former President Hoover's message to Congress on December 3, 1929, is also pertinent and significant:

"It seems to me that the essential principles of reorganization are two in number: First, all administrative activities of the same major purpose should be placed in groups under single-headed responsibility; second, all executive and administrative functions should be separated from boards and commissions and placed under individual responsibility; while quasi-legislative and quasi-judicial and broadly advisory functions should be removed from individual authority and assigned to boards and commissions. Indeed, these are the fundamental principles upon which our Government was founded, and they are the principles which have been adhered to

in the whole development of our business structure, and they are the distillation of the common sense of generations."

The Honorable Thomas E. Campbell, President of the Civil Service Commission under Mr. Hoover, in testifying before the House Committee on Expenditures in the Executive Departments on March 17, 1932, on the Cochran bill—H. R. 8389—which provided for a single civil-service administrator to take over the functions of the Civil Service Commission, stated:

"I might add that the form of the bill as introduced by Congressman COCHRAN, in which there is the creation of a single administrator, has my full and earnest approval, because I think that from such a measure greater efficiency can be obtained. However, in the President's message, he indicates that the commission form should be retained, with the president or chairman of the new consolidated commission as the administrative officer."

After the President submitted his recommendations to the Congress in January 1937, Governor Campbell, speaking before the Western Regional Conference of the Civil Service Assembly, stated:

"I was greatly encouraged when the President accepted the thoroughly sound personnel recommendations of his Committee on Administrative Management. The establishment of a United States civil-service administration to be headed by a single civil-service administrator selected on a merit basis as a result of a Nation-wide open competitive examination can hardly fail to result in better and more effective personnel administration in the Federal Government."

"My previous experience as a public official in local and State jurisdictions and as Governor of the State of Arizona, as well as President of the United States Civil Service Commission, have led me to the definite conclusion that boards and commissions are clearly not suited to the performance of administrative duties. Boards and commissions carry on their work by compromise and indecision. This is an inefficient method of operation and usually results in needless confusion, the diffusion of responsibility, harmful delay, and the lack of needed leadership. In cases where this situation does not exist, commissions frequently fall under the domination of one of their strongest members, while the other members play the role of mere 'yes men.'"

"It is for these reasons that many of the difficulties and inadequacies apparent in the administration of the Federal merit system will unquestionably be overcome if the proposed single civil-service administrator is made responsible for all administrative and technical personnel functions. The creation of a civil-service board of seven nonsalaried citizens as suggested by the Committee on Administrative Management will furnish sufficient protection for the integrity of the merit system. The proposed new board will have no administrative or technical duties to perform. However, it will serve as a watchful adviser to the President and the civil-service administrator. In this capacity it will render a useful function without manifesting the weaknesses inherent in the existing Civil Service Commission."

"Within the past 50 years governmental operations have become broad in scope and complex in character. It is now more essential than ever before that the personnel chosen to carry on the work of the Federal Government be highly qualified. This result can be attained only if Uncle Sam's central personnel agency is permitted to operate under the administrative direction of a qualified administrator who can accept full responsibility for its work and can give it the imaginative leadership that is required. An efficient Government is essential if our democracy is not to be supplanted by some more drastic form of government. That is why I am looking forward to the final adoption of the President's personnel proposals. I am for them. I hope they will be passed by the Congress."

Mr. SHAFER of Michigan. A point of order, Mr. Speaker.

Mr. HOFFMAN. Mr. Speaker, will the gentleman withhold that for a unanimous-consent request?

The SPEAKER. Does the gentleman desire to submit a point of order?

Mr. SHAFER of Michigan. I do, Mr. Speaker. The gentleman from Pennsylvania [Mr. STACK] has 30 minutes under a special order.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a radio speech delivered by myself.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in reference to the reply to me by the gentleman from Kentucky [Mr. FRED M. VINSON].

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a short editorial from a Fitchburg paper.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I especially call the attention of the distinguished majority leader to this because he stated that I had the most vivid imagination of any person he ever came in contact with, and when Mr. Berle, the Assistant Secretary of State, spoke in Massachusetts and severely criticized us he said that what Massachusetts needed was imagination. Of course, under the circumstances, I consider that the majority leader paid me a great compliment. The editorial referred to is as follows:

[From the Fitchburg (Mass.) Sentinel of March 31, 1938]

SPEAKING OF IMAGINATION

When Congresswoman ROGERS, of Lowell, arose in the House yesterday to say that President Roosevelt's remarks about Senate passage of the reorganization bill implied "those who had heeded the [public] protest [against the bill] had been purchased," Majority Leader RAYBURN countered:

"Anybody who can place such an interpretation on the President's remarks has a most amazing imagination. I think the gentlewoman from Massachusetts has the greatest imagination of any person I have ever come in contact with."

Mr. RAYBURN paid Mrs. ROGERS a compliment. A keen imagination is a wonderful possession for anyone to cherish. If Mr. RAYBURN were gifted with a similar quality he could pierce the fog of confusion and visualize the full implications not only of Mr. Roosevelt's remarks about the telegrams and the Senate action, but also of the reorganization bill itself. He would catch a vision of Congress surrendering its constitutional powers to a President who, in his Court-packing proposal, clearly indicated how eager he was to usurp the allotted powers of the other branches of government.

Yet no lively imagination was needed to sense what Mr. Roosevelt meant when he said the Senate passage of the reorganization bill showed that the majority could not be "purchased." The word "purchase" has a definite meaning. In the sense in which Mr. Roosevelt used it, it meant to "buy for a price."

No one would ever accuse the die-hard Senator HIRAM JOHNSON with having a run-away imagination. In such important matters as international affairs he is a realist of the realists. Yet in the Senate yesterday he said: "I do not know exactly what is meant by this remark [by the President]. I do know the implication that arises from it. I feel I would be wanting in courage if I did not express my resentment at that remark. Did he [the President] mean they could only be purchased by projects?"

Does it indicate a run-away imagination when one dares to suggest that the majority who voted for the reorganization bill had patronage and fat W. P. A. or P. W. A. projects in mind when they voted for the bill?

It is not imaginary money that Mr. Roosevelt has at his disposal to pass out to constituents of those who vote as he wishes. Nor can the money spent be raised by imaginary taxes. The money is real and the taxes are real, and the power that Mr. Roosevelt possesses to purchase the conformity of Senators to his views is real.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that on the bill under consideration that general debate be limited to 2 hours after we meet tomorrow, to be divided as heretofore.

Mr. TABER. Mr. Speaker, I reserve the right to object.

Mr. HOFFMAN. Mr. Speaker, I object.

REORGANIZATION BILL

The SPEAKER. Under special order heretofore made, the gentleman from Pennsylvania [Mr. STACK] is recognized for 30 minutes.

Mr. STACK. Mr. Speaker, first I wish to pay my humble respects to a great speaker, a great leader, and an impartial judge, a gentleman, and when I say "gentleman" I mean what that great master of English, a convert to my faith, Cardinal Newman, said when he described a gentleman as a man who never gives pain.

The opponents of the reorganization bill, I think, did pretty well today. I am not going to hold the House much longer, except to propound a unanimous-consent request that I may revise and extend my remarks made in the House today, and add to them some newspaper clippings and some matter that I think pertains to my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. STACK. Mr. Speaker, about 10 minutes ago I received the following telegram:

MICHAEL J. STACK,
House Office Building;
Urge you to vote against governmental reorganization bill.
PHILADELPHIA PROTESTANT FEDERATION.

I consulted with my good friend, Brother EATON, who I understand at one time in his life had the hand of consecration laid upon him, and asked him how many compose this federation. His answer was that it included all of the Protestant churches in Philadelphia, and Philadelphia has a population of a little over 2,000,000 and is a Protestant city.

Mr. Speaker, I am going to preface my few remarks here this afternoon by calling to the attention of the House and to the people in the Sixth District of Pennsylvania and to the Nation a sample of the guttersnipe tactics my communistic friend, Davey Stern, and his paid hireling in the press gallery have consistently used against me since I have been in public life.

A story originating in Washington, April 2, captioned "First New Deal Bolt, STACK Tells House." And in the body of the story this scurrilous article maliciously says:

Representative MICHAEL J. STACK, renegade Philadelphia Democrat, told the House today that in opposing the Government reorganization bill he was registering his first vote against the New Deal.

The record of the House reporter's shorthand book and the complete transcription in the CONGRESSIONAL RECORD of Saturday, April 2, will give the lie to that foul and underhand method of misleading the people, and particularly the people in my district. He evidently got the distinguished gentleman from New York, the Honorable JOHN O'CONNOR, and myself mixed up, for Congressman O'CONNOR, I think, on that day said that his vote against the reorganization bill would destroy his perfect administration loyalty record.

Certainly the vote that I am going to cast against this reorganization bill will not be my first vote against the New Deal; and, candidly, let me tell you that I am rather proud of my votes against some of the New Deal measures, particularly the so-called wage and hour bill last December.

Further down in the story the article states:

STACK, most persistent unsuccessful seeker of recognition throughout the 3 days of debate on the reorganization measure, finally obtained 4 minutes in combined time from both sides in which to explain his position.

My good and distinguished friend the gentlewoman from Massachusetts knows that is not so, and that out of the goodness and bounty of her little American heart, and because she loves free speech, she gave me 7 minutes of her time.

I voted to recommit the so-called wage and hour bill last December, the bill from which my distinguished friend and colleague, the Honorable LAWRENCE J. CONNERY, by unanimous-consent request had his brother's name deleted from the bill because he felt that his brother and our friend, "Billy," of happy memory, would not rest peacefully in his grave if the type of bill that was presented here on the floor of the House last December were passed bearing his name. I voted to recommit it because I believed the bill did not mean anything to the people of the Sixth District of Pennsylvania; and that it did not mean anything, in fact, for the workingman in any part of the United States.

The so-called wage and hour bill that was recommitted to the committee on December 17 was not a labor bill at all but a make-believe meaningless gesture to labor and in the words of an editorial from the December 18 Washington News, a Scripps-Howard publication that is well known for its liberal and progressive policies—

Blame for the demise of the wage and hour bill rests chiefly, we believe, with the nature of the bill itself, its manner of birth, and its manhandling at the hands of its friends.

The Black-Connery bill, you will recall, sprang from nowhere last May, all written and done up in ribbons by brain trusters with a flair for legalistic jargon. Its humane and public-spirited objectives were simple—to put a bottom to wages and a top to hours in interstate industries. These objectives could have been set down in 100 simple words. And, instead of merely outlawing wages and hours that no decent American employer has a right to demand of workers, the bill set up a bureaucratic board and endowed it with powers to invade the higher wage-hour brackets at their will. Like the N. R. A., it meant well, but it was too ambitious.

Well, when it got to the House in a somewhat simplified form, the great House Labor Committee accepted, mark you, accepted, 129 last-minute amendments, further confusing its purpose and

meaning. Finally, in a desperate and logrolling effort to pass it at any price, its sponsors agreed to exempt mining, milling, smelting, oil, agriculture, and what not, making the whole thing a sorry joke on the workers whose living standards it was designed to raise. And when it went to a vote it was a mush of concession and a shining example of how not to prepare and pass Federal law.

I am for legislation covering minimum wages and maximum hours for all industry. I am against sweatshops, and on February 25 of this year I introduced for the American Federation of Labor, H. R. 9628, to provide for the establishment of minimum labor standards in employment in and affecting interstate commerce and for other purposes. Look up the *RECORD* of that date, and you will find a complete and intelligent analysis of the bill as prepared for me by the American Federation of Labor.

As I understand this bill, it has three main features easily understandable. First, it is to put a top to hours and a bottom to wages. Second, it is to be administered by statute, the same as any other law. Third, it has no geographical differentials, and I am reliably informed—in fact, I know that the A. F. of L., the real sponsors of this bill, experts on wage and hour legislation, will take a flexible minimum wage, beginning, say, at 30 cents per hour for the first year and be rigid, say, at 40 cents an hour after 2 or 3 years. Now, it seems to me, just an everyday garden-variety Congressman, that this great legislative body ought to be able to pass such a bill before this Congress adjourns. I am satisfied that our time would be much better occupied doing this kind of business than scaring the people in your district and in my district, and God knows they are scared to death with this so-called reorganization bill that has aroused the whole country within the last several days.

I am for such a wage and hour bill, and if the administration is really for wage and hour legislation and they give the word, H. R. 9628, with reasonable amendments, can and will be passed almost immediately by this House.

Let us be honest with ourselves. Why have a large portion of the industries which formerly gave employment to thousands of men and women moved to the sunny Southland? For no other reason than to take advantage of the low cost of operation resulting from the low wage scale prevailing in the South and the long hours of employment.

The so-called wage and hour bill, defeated December 17, would perpetuate the differentials now existing between the northern and southern industries and continue the unfair advantages enjoyed by the South.

I voted last December, let me say again, for the substitute bill which would enforce, by statute, with no discretion on the part of any administrative agency and no differentials, as between North and South.

Oh, of course, I realize that my distinguished friend from Georgia, BOB RAMSPECK, has doubts as to the constitutionality of the A. F. of L. bill introduced by me, as well as other wage and hour bills. But the American Federation of Labor attorneys say it is constitutional, and I for one am now willing to take a chance with the now friendly Supreme Court we have.

COMPROMISE WON'T DO; KILL THIS BILL!

Last-minute compromise offers by administration leaders should not be permitted to grease the passage of the vicious reorganization bill by the House.

The compromise proposals, hastily put forward in what appears to be a desperate effort to jam it through, do not make this poisonous measure acceptable.

Even with the suggested modifications, the reorganization project places in the hands of the Executive—any Executive—vastly more power than is advisable in the interest of democracy.

In spite of the proposed changes, the bill strikes at the authority of Congress and goes far toward establishing one-man government in liberty-loving America.

The eleventh-hour plan to substitute a simple majority vote for the two-thirds ballot which the bill requires of Congress to annul an Executive act of reorganization is, in itself, an improvement. But its constitutionality may be open to question.

Suggested exemption of the Bureau of Education in the Interior Department from reshuffling that would bring it under the projected department of public welfare also is sound, as are the proposed safeguards against fears that education would be placed under Federal control.

Moreover, the idea of including the Veterans' Administration among the agencies intended for exemption from change by Executive order has points in its favor.

But why, if the administration is willing to compromise on these important points, is it so determined to obtain passage of the reorganization bill? Obviously, there would remain, even with the proposed modifications, sufficiently broad grants of power in the measure to make it worth while to those in authority.

There is not the slightest assurance, furthermore, that if a bill carrying the proposed changes were approved by the House it would not be drastically revised by the conference committee before final passage. The frantic activity of the administration leaders now indicates that they would agree to almost anything in order to get the measure past the House hurdle.

Instead of being aids to passage, the compromise offers ought to be a final and convincing argument to Congress and to the people of the United States that this reorganization bill is packed full of dynamite and should be rejected.

The administration's ringmasters, fearing defeat, have suggested modification of a few provisions. But how many dangerous provisions are there in the bill concerning which no compromise has been proposed?

Has the administration suggested revision of the measure to retain the bipartisan Civil Service Commission instead of putting Government personnel under one official responsible solely to the Executive?

Has the administration urged that the Comptroller General be kept on the job as the watchdog of the Treasury and that the control of expenditures be tightened instead of being turned over to the Executive virtually without curb?

Has the administration admitted that the selfless six assistants to the President provided for in the bill might crowd Cabinet officers out of the Government picture?

Has the administration let it be known that the national resources planning board which the reorganization measure would bring into being has potentialities for working incredible mischief with other boards?

All these possibilities for change and compromise have not recommended themselves to the administration's frenzied fixers. They remain notable among the bill's outstanding liabilities.

The truth is that compromise of the outrageously obnoxious reorganization bill is not enough. The only safe treatment for this bill is to throw it in the wastebasket.

Real Government reorganization to end overlapping and duplication of agencies and functions and to reduce costs is badly needed. But Congress should have an influential part in it. One-man reorganization by the Executive, with no purpose of economy, would carry the country toward totalitarianism and disaster.

It is not too late for citizens to send their protests against this un-American measure to the Congressmen.

Compromise won't do. Defeat this pernicious bill!

NO TIME FOR A PERILOUS EXPERIMENT

As the controversial reorganization bill moves toward a vote in the House, it is desirable, in the interest of fairness and sound judgment, that every citizen be clear in his own mind as to the potentialities of this measure.

President Roosevelt is on record, through his remarkable letter to an "unknown friend," as disavowing an ambition to be a dictator and disclaiming any dictatorial purpose in the reorganization bill. Whether or not the impelling motive in his dead-of-night publication of the surprising letter was to throw the full force of his administration to the support of the measure in the House, his repudiation of dictatorship ambitions, taken at its face value, is of considerable moment.

It is scarcely conceivable that the President consciously yearns to be a dictator in the European style. It is certainly not credible that he craves to copy the methods of Stalin, Hitler, or Mussolini. Nor is there reason to believe that the reorganization bill, as it now stands, would at one blow smash down all the bulwarks of democratic Government and overnight set up Mr. Roosevelt as some sort of new and streamlined despot.

Nevertheless, the President, from the moment he entered the White House, has displayed supreme confidence in his ability to administer the United States Government better than anyone else. He has gone his own way, scornful of counsel unless it agreed with his own ideas.

The fact that he accepted and approved the reorganization bill when it was introduced, granting more power to the Executive than it now does, attests the President's willingness to shoulder responsibilities approximating those of a one-man government.

Moreover, a disturbingly large number of the administration's acts and policies have had the earmarks of products of centrally located closely held authority.

Monetary tinkering, free spending, agricultural and industrial regimentation, punitive taxation, "must" legislation, Supreme Court revision—these and many other undertakings of the administration since March 1933 are not without a certain kinship to the type of government which the President now disclaims as his objective.

Because also of the administration's bland disregard of many of its past pledges, including economy in government, it behooves Congress and the American people to move with the utmost caution in according to it new and dangerously sweeping grants of power.

That the Government reorganization proposals passed by the Senate and now a storm center in the House are an improvement on the original recommendations, is unquestioned. But do the modifications as made in the bill provide sufficient safeguards for the preservation of American democracy and representative government?

The reorganization bill abolishes the bipartisan Civil Service Commission's protection against political spoils and installs, at what cost to the merit system no man can foretell, a single personnel administrator responsible solely to the Executive.

The bill places vast quasi-legislative agencies, such as T. V. A., under the immediate domination of the Executive. Only last week the country had a startling example, in the ousting of T. V. A. Chairman Morgan, of Executive interference in a supposedly independent agency.

The bill kills off the Comptroller General as watchdog of the Treasury and, by substituting postaudit of expenditures for control of expenditures, thrusts into the Executive's hands authority over the spending of the people's money, which should belong to Congress.

The bill establishes six somewhat furtive Presidential assistants who, it is not unthinkable, could relegate Cabinet members to the status of museum pieces.

The bill's requirement of a two-thirds vote in both Houses to override an Executive veto of congressional disapproval of an act of reorganization is a destructive blow to the legislative branch of the Government and to the people.

In brief, however sincere the President may be in his denial of ambitions for personal dictatorship, the simple and incontrovertible fact remains that the reorganization bill is essentially undemocratic in spirit and that it makes available to the Executive—any Executive—means which could be instrumental in destroying the fundamentals of American liberty.

This is no time for dangerous experiments in government. Democracy today is fighting for its life throughout the world. In country after country popular rule has been ground into the dust by despots and tyrants. Here at home we are in the midst of a paralyzing industrial recession and something like 12,000,000 of our citizens have no jobs.

We must not surrender any part of our hard-won democracy. If the Congressmen keep faith with the people who elected them they will refuse to enact an administration reorganization bill that could become the club of a dictator against a free Nation.

Members of the House: Stand firm against this vicious bill.
Citizens: Keep up the barrage of telegrams and letters.

CALVARY CHURCH,
Philadelphia, March 31, 1938.

HONORABLE SIR: May I express the hope and assure you of the private prayers that you may be given courage to stand and vote against the reorganization plan to be put before your body soon? Congress and her Members, as well as the other branches of our Government, are constantly and dally remembered at our altars that you may yet lead us into the paths of peace and prosperity. May God so guide you.

Faithfully yours,

JOHN QUINCY MARTIN.

ST. PAUL PRESBYTERIAN CHURCH,
Philadelphia, Pa., April 2, 1938.

HON. MICHAEL J. STACK,
House of Representatives, Washington, D. C.

DEAR HONORABLE SIR: As you know, I am not given to mixing in politics. However, the sentiment of our 2,000 people at St. Paul Church is so strongly opposed to the President's reorganization bill that I am compelled to let you know about that sentiment. If you do not vote against this bill I shall be driven to take off my coat and work against you at the coming election.

Sincerely yours,

BURLEIGH CRUIKSHANK.

IMMANUEL LUTHERAN CHURCH,
Philadelphia, April 2, 1938.

The Hon. M. J. STACK,
Washington, D. C.

DEAR SIR: Won't you please stop the reorganization bill from passing with all in your power? It is too much power for one individual, whoever he may be. Honestly, my people are on the whole losing confidence in the present administration as business declines and no elements of confidence are brought forth.

Please help kill this new bill. We are trusting in you.
Very earnestly,

HENRY CORNEHISEN, Jr.

STATE COUNCIL OF PENNSYLVANIA,
JUNIOR ORDER UNITED AMERICAN MECHANICS,
Philadelphia, Pa., April 4, 1938.

HON. MICHAEL J. STACK,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: We are opposed to the Government reorganization bill in its present form.

While there is no doubt but more efficient service could be secured at less cost by the reconstruction, elimination, or merger of many of our Government departments, we feel that this should be

done by a qualified committee of Senators and Congressmen and not left to the discretion and power of any one man.

We are absolutely opposed to the elimination of the Comptroller General's Department.

Yours very truly,

CHAS. H. HALL, State Secretary.

5353 IRVING STREET,
West Philadelphia, Pa., April 3, 1938.

HON. MICHAEL J. STACK, M. C.,
Sixth Pennsylvania District,
United States Congress, Washington, D. C.

MY DEAR CONGRESSMAN AND COMRADE: I am writing in my simple duty of citizenship to hearten you in your sworn duty as our Representative and in that spirit of Americanism that says Americanism is an unfailing love of country, loyalty to its institutions and ideals, eagerness to defend it against all enemies, undivided allegiance to the flag, and a desire to secure the blessings of liberty to ourselves and posterity. I am therefore writing to tell you why I am for you even more than ever before, be that possible.

I know that you stand against any continuance of contractor rule that has placed the citizens of this metropolitan area of Philadelphia under a bonded indebtedness, which in interest charges alone require the payment of nearly \$30,000,000 annually, taken from the taxpayers' pockets, before a thin dime can be found to pay a school teacher, fireman, or policeman in this city known as the City of Brotherly Love.

I know that you have always stood for representative government—Americanism as above explained and summarized.

I have been a close student of congressional personnel for the past 40 years, and I know of no other Representative that has attained your 100-percent record on veteran and labor legislation, and this record is not easily rubbed out of the record—it proves to me beyond cavil your future acts.

You stand for governmental control of all credits as per our American Constitution—"That Congress, and Congress alone, shall have the right to coin money and regulate the value thereof." Herein lies the root cause of our present recession in business and industry. Private parties now, in utter defiance of constitutional authority, make these credits or withdraw them at their will. The elders of the Rothschilds family, way back in Napoleonic days, said, "Give me the credits of a nation, and I care not who controls or rules that nation" (meaning, of course, that he—Rothschilds—would rule the ruler).

I know that you espouse the cause of the makers as against the takers—those who really serve the community interest.

I know, Mike, that you are the only Philadelphia Congressman that has in fair and foul weather politically served and voted the workers' interests of this Sixth District and Philadelphia.

You are the only Philadelphia Congressman that has voted right on the wage and hour bill, the Ludlow amendment, and the reorganization bill, thus continuing your 100-percent record. I want to say, also, to you that on your record I will and can most heartily commend you to the support of my fellow citizens, comrades, and brother trade-unionists and tell them that you stand unalterably opposed to any form of dictatorship, no matter how labeled; you stand for an open primary, against contractor rule; and as good citizens they should support such valiancy of spirit. They should weigh this factual information against any whispered campaign that may be used against you, their Representative, their servant.

With kindest personal regards.

EDMUND J. PHILLIPS.

A Democrat since 1896 campaign. A trade-unionist of more than 40 years. A veteran of two war services with 14 other years in Government war preparation service in civilian capacity.

REV. CHAS. E. COUGHLIN,
Royal Oak, Mich., March 30, 1938.

HON. MICHAEL J. STACK,
House Office Building, Washington, D. C.

HONORABLE AND DEAR SIR: I have been observing your activities in Washington and wish to state that, although neither I nor my followers are in politics, nevertheless, we wish to take this occasion to acknowledge our appreciation of your support of social-justice principles during your term in Congress.

Extending to you my kind regards and best wishes, may I remain
Sincerely yours,

CHAS. E. COUGHLIN.

THE SPIRIT OF THE REORGANIZATION BILL
(Broadcast by Rev. Chas. E. Coughlin)

My friends and fellow citizens, I deeply appreciate that you expect me to review and comment upon the reorganization bill in today's broadcast. This proposed legislation has stirred the American public to its present passionate interest not because the provisions of the bill, in its present form, are definitely dictatorial but because of the circumstances which attended the presentation of the bill.

For your information the legislation now awaiting passage by the House of Representatives is almost substantially different from that which was proposed more than 15 months ago. At that previous date the reorganization bill and the judiciary reform bill, which appeared 1 month later on February 5, were so identical in

governmental objective that most keen observers regarded them as twin bills submitted to Congress for the purpose of so amplifying the powers of the Chief Executive that they would elevate him, for all practical purposes, over both Congress and the Supreme Court. In other words, those two original bills, almost 15 months old, would affect the construction of our peculiar American scheme of government.

Congress, the Supreme Court, and the Chief Executive are three branches independent of each other, although correlated. As such they act as checks and balances upon each other. The law-making body, Congress, is prohibited from executing the laws. The executive, or Presidential branch, is restrained from making the laws, and the judiciary, or Supreme Court section of government, is limited to interpreting the laws.

Consequently, any proposed legislation tending to destroy the independence of any one branch of government; any legislation aimed at elevating any one branch to a position superior to the two remaining branches, is contrary to the traditions of Americanism and to the spirit and letter of our Constitution.

The foregoing statement is most necessary when considering the implications of the reorganization bill.

Fifteen months ago the twin bills to which I referred definitely aimed at destroying the checks and balances of our triply divided form of government. The original reorganization bill proposed removing specific powers from Congress and allocating them to the President. The judiciary bill, which was publicized 1 year ago last February, was designed to give the Chief Executive specific and immediate control over the personnel of the Supreme Court. Ever since that date the minds of watchful Americans were disturbed at the prospect of dictatorship, as some chose to characterize it, or at the danger of unbalanced government, as an erudite judge described it.

Because the second bill related to the Supreme Court was discussed first in Congress, the Nation's attention was concentrated upon it. But the national mind, through some accident of circumstances, failed to remember the relationship of this specific proposed legislation to its twin which was related to the reorganization of Congress. As a matter of history, the Supreme Court bill failed to pass on the Senate floor. Then came a long silence. The strategy of those who at that time were bent upon destroying the independence of both branches of our Government was associated with the theory that time is a healer of wounds and an opiate to the memory. Thus it was only recently—within the last month or so—that the reorganization bill regained public attention. During the months of February and March of this present year it was considered in a Senate committee and finally came before the entire body of Senators to be discussed. As a result of these considerations and discussions, the original reorganization bill was so substantially altered that no honest critic could maintain that in its final form it destroyed the independence of Congress.

Passing from the Senate to the House of Representatives last week, the reorganization bill created acrimonious discussion. No later than last night its sponsors, moved by hundreds of thousands of telegrams, which effectively split the Democratic Party, made two very important concessions to the opposition. Surmising that Mr. Harry Hopkins would be the new secretary of welfare, knowing that this gentleman was a registered Socialist in New York City, millions of Americans were disturbed when they envisioned this gentleman's having charge of the administration of all existing Federal laws relative to education. Being practical minded to the extent that we appreciated how an unsympathetic administrator can pervert even a good law, this possibility—yes, probability—of Mr. Hopkins being appointed to the executive office set in motion a flood of telegrams protesting against the inclusion of educational laws under his department.

Today the administration of Federal educational laws, so the administration promises, will remain in the Department of the Interior and will not be transferred under the jurisdiction of the Department of Welfare.

To gain much of his partisan support, which is seriously wavering, Mr. Roosevelt, it is reported, indicated last night that he was agreeable to a second amendment to the reorganization bill which will give Congress the right to override by a majority vote any action taken by the President under the bill's provisions. Until yesterday the bill provided that it would require a two-thirds majority of Congress to nullify the Presidential action under this bill.

Consequently, by yielding on these two points the Government's chances for the passage of the reorganization bill have been enhanced considerably. Tremendous opposition is still current both in Congress and in the Nation against the passage of the reorganization bill, not for what it is, or for what it provides at the present moment, but because of its original spirit which attempted, concurrently with the Supreme Court bill, to despoil Congress and the judiciary of their independence.

Now, let us turn to the future as it relates to the reorganization bill. It is my opinion that the proponents of this new bill will gladly concede on the floor of the House any amendment proposed in order to secure passage of the bare title of the reorganization bill. In no sense do I imply that this is a victory for the proponents. In no sense do I maintain that the amendments secured by Senators WHEELER, BYRD, BAILEY, and WALSH, or the amendments promised yesterday in the House of Representatives will be sustained. These Senators and Representatives O'CONNOR of New York, SWEENEY of Ohio, and STACK of Pennsylvania, and

many other Congressmen have fought and will fight valiantly against the ultimate attempt to encroach upon our democratic institutions.

The reason for that statement is the following: Parliamentary procedure demands that once the House will pass even the bare title of the reorganization bill, denuded of every controversial paragraph and proposal, the House bill and the Senate bill will be placed together for discussion not by the Senate nor by the House, but by a New Deal, hand-picked group of conferees. These conferees are empowered by parliamentary procedure to rewrite a new bill, to incorporate in it every proposal which had been stricken out either in the Senate or on the floor of the House and to rebuild it exactly as it was 15 months ago.

When this work will have been completed in joint conference, then the new reorganization bill will be presented to the House and to the Senate either for passage or for rejection. The Senators will not be permitted to debate it. The Members of the House of Representatives will not be permitted to discuss it. Each body, in turn, will be permitted to vote for it or against it. Consequently, if the House of Representatives fails to defeat outright the entire reorganization bill during this week's session—and it is my honest opinion that the House will not be able to defeat it because of the multiple amendments which will be used to obtain support—then the New Deal conferees will wait patiently for 2 or 3 or 4 weeks until the public passion subsides. With lightning rapidity, the new bill will reappear before the Senate and the House for final passage before it will be possible for the people to reassemble their forces.

At that time my broadcast season will have terminated.

Therefore, the question at hand is this: "What contribution can I make to prevent the ultimate passage of the reorganization bill, provided it contains paragraphs and provisions which are obnoxious to democracy?"

This question I will answer at the conclusion of this broadcast this afternoon.

It is essential for all Americans to know that the reorganization bill from the beginning, and even now, limits the powers of the President to interchange functions of government from one department to another by a specific date. If the bill should pass, this power to be conferred upon the President will expire in 1940. But it is more essential to know that the changes which he makes between now and 1940 will remain permanent—so permanent that it would be impossible, practically speaking, for Mr. Roosevelt's successor in office, if there will be one, to restore government to its original design. In other words, Mr. Roosevelt has power to scramble eggs according to his own decisions until 1940. His successor will try in vain to unscramble them.

It is also important to remember that as far back as the month of March 1933 the President, who recognized that an emergency existed in the Nation, asked and obtained from Congress emergency powers which permitted him to gain direct control over the purse of the Nation, and which allowed him to establish at least 56 corporations, such as the T. V. A., the H. O. L. C., and the A. A. A., the stabilization funds, etc., to function as depression destroyers.

Under the reorganization bill, which grants him power until 1940 to transfer the function of one department of government to another—and this permanently—these emergency powers will have entered permanently into the fabric of American life.

I believe it is more important to inform you of the strategy now being adopted by the sponsors of this bill and to prepare you for ultimate action than it is to magnify any one portion of the bill. Thus, I will not discuss at length that section of the bill which proposes to abolish the nonpartisan regulation of civil service and to place all civil-service employees under the dictatorship of a partisan agent removable from his office at will by the President.

It is sufficient to note that this legislation would establish the largest political pork barrel in all the world and would insure the perpetuation of a one-party form of government.

Nor shall I discuss the abolition of the Comptroller General's Office because this portion of the bill is only incidental to its general bearing upon government and the Nation. Permit me to engage your attention with some thoughts relative to the word, "emergency."

Government after government concerned themselves almost entirely with the problem of supply and of profit. Government after government disregarded the problem of demand and of consumption. As a result of all this the factories and the fields were well equipped to produce plenty. The laborers and the farmers and their families, who comprised by far the major portion of the consuming power, could neither use nor consume the products of farm and factory because there was an insufficient purchasing power.

In 1933 it was evident that our Nation was in the midst of an emergency. There were millions of men unemployed and thousands of factories closed. Homes and farms and industries were being confiscated as rapidly as Government agents and mortgage holders could act.

Every intelligent person understood that this want amidst plenty had been promoted by an unsound credit inflation and a corresponding lack of purchasing power among the laboring and agricultural classes which were receiving less-than-living wages.

Thus, the emergency eventuated which demanded that the idle and impoverished be fed and clothed and sheltered. Thoughtful

citizens recognized that the causes of the emergency must be eliminated before its effects would vanish.

For 5 years we have been living in the midst of an emergency psychology. For 5 years we have witnessed the inception of social reforms and have failed to recognize the establishment of the basic economic reform for which the times are clamoring. For 5 years we have experienced not a decrease but an increase in the causes of the emergency. More credit inflation has merely added to our national woes; more spending of debt money has merely deepened the roots of the emergency.

I fear that we have grown accustomed to the psychology of emergency. I fear that the millions of the unemployed, of the destitute, of the financially embarrassed have adopted as a permanent attitude the philosophy that the Government must support the people. I fear that these same millions have rejected the sound principle that the people must support the Government.

Year after year, session after session, Congress has satisfied its conscience with passing more emergency enactments, thereby solidifying in the minds of the millions the permanency of this emergency. Year after year, the President, in good faith, I will admit, has given utterance to a most humanitarian philosophy. He has sympathized with the underfed third population of our Nation; he has extended a friendly hand to exploited labor; he has been a firm advocate of unionism; he has been keenly interested in the welfare of agriculture. Although he has been harsh and critical of monopolies and of industries, so have I; although he has castigated the concentrators of wealth, so have I. However, in my humble opinion, the major portion of his economic activities during the past 5 years have tended to make permanent the emergency.

With what result, psychologically speaking? While the taxpayers have suffered patiently in bearing the burden of bonds issued to extend doles and relief, they are growing impatient. While the dolesters themselves and the recipients of governmental subsidies at first were happy to receive an immediate assistance to tide them over an immediate crisis, they are growing dissatisfied because the little they receive is insufficient to maintain them on what they consider the American level of living.

Thus, the germs of class conflict multiplied. The flame of class hatred leaped from the smoldering embers of discontent. Even labor became distasteful to those who were still employed because of its slender reward.

This, to my mind, is the fruit which has grown upon the tree of emergency psychology. This is the emergency psychology which has been perpetuated both by the President and by Congress who bestowed upon him the temporary powers he requested in 1933—the same Congress which is about to confer upon him the authority to perpetuate these powers.

My friends, the hour has arrived for all of us to liquidate the emergency psychology which is devouring us.

Congress is aware that 15,000,000 persons are the regular recipients of doles and subsidies from the United States Government. These persons are of voting age. They comprise men and women of the agricultural and the laboring classes. Is it the intent of Congress, imbued with an emergency psychology, to perpetuate these persons as wards of the Government, thereby as supporters of a one-party form of government?

Is it the purpose of Congress to surrender the proud spirit of Americanism which once spurned this so-called charity from the public purse—to surrender it to the cringing spirit of a servile state, thereby establishing, not the dictatorship of a one-man government but the dictatorship of a one-party rule?

My fellow citizens, I repeat, the hour has struck for every proud American, be he rich or poor, employer or employee, Congressman or layman, to unite for the destruction of this emergency psychology which has taken such deep root in the souls of approximately 45,000,000 of our citizens and which promises within the near future to encompass more than half our population.

The principle that the Government should support the people must be abandoned. The principle that the people must support the Government must be readopted.

The attitude of Congress to concern itself with emergency legislation must be cashiered; for it is the business of Congress to apply its constitutional rights and duties in writing legislation which will terminate class struggle, class hatred, and want amidst plenty.

Probably the advocates of the reorganization bill are waiting for me to call upon this audience and the American public to deluge the House of Representatives with more telegrams. That would be unsound strategy at this moment. This is not the time for sending more telegrams. It is inopportune. The messages which the hundreds of thousands of persons in this audience already have sent to Congress have had their salutary effect.

Now that the Nation is aroused the Nation must not return to slumber. Now that vigilance is riding throughout every State in the Union, let vigilance continue to crusade.

Ladies and gentlemen, now that I have explained the procedure through which the reorganization bill must pass before it can be enacted into law, if ever; now that I have touched upon the defeatist attitude of a Government which, having failed to break the back of a depression, is venturing to perpetuate an emergency for the children and their children's children of future generations, our campaign extends to a more comprehensive scope. It is now about to grow into a campaign which will not be satisfied until, like St. George of old, its sword will have let out the last throb of life from the dragon of "emergency."

What, therefore, is the plan which I suggest and which, if acceptable, I ask every newspaper in this Nation to print and propagate?

It is this: Beginning tomorrow, I advocate that every congressional district in these United States shall organize a committee composed of intelligent, educated, judicial citizens. I propose that these committees, small in personnel, but versed in experience, shall be modern Paul Reveres whose business it will be to ride to Washington and rouse from slumber their respective Representative and Senator within the next 2 weeks.

I propose that these committees shall ask their Congressman this one question and receive from him a definite answer:

"Mr. Congressman, we are opposed to the reorganization bill because of the spirit which promotes it and because it is definite legislation to perpetuate an unnecessary emergency. We are opposed to a reorganization bill, not because it now appears innocuous, but because it indicates an abdication of power on the part of Congressmen in favor of the President; because it is contrary in spirit, if not in deed, to the triple division of checks and balances instituted by the Constitution of our democracy.

"Therefore, tonight in our congressional district, while thousands of your constituents are massed in peaceful but public protest against the reorganization bill, we ask you this one question: Do you intend to be a Congressman to represent your people under the Constitution or do you prefer to be a rubber stamp to pass any bill, including a reorganization bill, simply because our President requests it; and do you plan to vote independent of patronage on all bills for the welfare of all the people instead of for the welfare of an individual political party?

"If the latter is your attitude, then there is no need of further inflicting a Congress upon the American people; if the former is your pledge to us, we will return home satisfied that the reorganization bill, or any other bill, aimed at perpetuating the emergency shall not pass."

My friends, this is my proposal at this juncture. I ask the editors of the various newspapers in the various localities to cooperate in establishing these committees.

If and when the new reorganization bill will emerge from the joint conference of Senate and House of Representatives, then will be the proper time to deluge Washington with another shower of telegrams and of letters protesting your opposition to such emergency measures when now is the time for America to turn its back on such policies and to stretch forth its hands to the saving anchor of democracy which we can make function if we will to do so.

We, the people, under God, our Father, are called to arise and to reestablish our authority.

This is not a religious issue. This is an issue between prosperity and democracy on the one side and emergency and dictatorial partyism on the other.

Therefore, reviving the Scriptural text which is applicable to all America in this crisis, I quote for you the words that the "letter killeth and the spirit maketh to live." And I interpret them for you to mean that it is not the letter of the reorganization law which matters in this instance. It is the spirit which predominates it, the spirit of centralization of power, the spirit of perpetuating a needless emergency, the spirit of defeatism, which, like a cloak, is enshrouding the shoulders of America.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 9915. An act to amend the Agricultural Adjustment Act of 1938, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2698. An act to set aside certain lands in Oklahoma for the Cheyenne and Arapahoe Indians;

S. 3105. An act to amend the Commodity Exchange Act, as amended, to extend its provisions to wool tops; and

S. 3304. An act to promote air commerce by providing for the closing of Military Road.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 1355. An act for the relief of Lawrence E. Thomas;

H. R. 3657. An act for the relief of Albert Pina Afonso, a minor;

H. R. 3776. An act for the relief of T. T. East and the Cassidy Southwestern Commission Co., citizens of the State of Texas;

H. R. 4221. An act for the relief of John M. Fuller;

H. R. 4229. An act for the relief of Clifford Belcher;

H. R. 6061. An act for the relief of Mary Dougherty;

H. R. 6232. An act for the relief of Frank Christy and other disbursing agents in the Indian Service of the United States;

H. R. 6467. An act for the relief of the Portland Electric Power Co.;

H. R. 7676. An act for the relief of the Complete Machinery & Equipment Co., Inc., and others;

H. R. 8432. An act to provide for a flowage easement on certain ceded Chippewa Indian lands bordering Lake of the Woods, Warroad River, and Rainy River, Minn., and for other purposes;

H. R. 8654. An act to amend the act entitled "An act authorizing the Secretary of the Treasury to convey to the city of Wilmington, N. C., Marine Hospital Reservation," being chapter 93, United States Statutes at Large, volume 42, part 1, page 1260, approved February 17, 1923;

H. R. 8714. An act authorizing the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State;

H. R. 8885. An act for the benefit of the Goshute and other Indians, and for other purposes;

H. R. 9418. An act to amend an act entitled "An act authorizing the Secretary of the Treasury to convey to the Board of Education of New Hanover County, N. C., a portion of marine-hospital reservation not needed for marine-hospital purposes," approved July 10, 1912 (37 Stat. 191);

H. R. 9915. An act to amend the Agricultural Adjustment Act of 1938, and for other purposes;

H. J. Res. 499. Joint resolution authorizing the erection of a memorial to the late Guglielmo Marconi; and

H. J. Res. 594. Joint resolution directing the Federal Trade Commission to investigate the policies employed by manufacturers in distributing motor vehicles, accessories, and parts, and the policies of dealers in selling motor vehicles at retail, as these policies affect the public interest.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned until tomorrow, Wednesday, April 6, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a meeting of the full open committee, Naval Affairs, at 10 a. m., Wednesday, April 6, 1938; continuation of consideration of H. R. 9315, to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes.

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on Wednesday, April 6, 1938, at 10 a. m. Local representatives of the lower Ohio River and its tributaries on levees, walls, and reservoirs will be heard.

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will meet Wednesday, April 6, 1938, at 10:30 a. m., to hold hearings on H. R. 8327.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a hearing before Subcommittee No. 1 of the Committee on the Post Office and Post Roads at 10 a. m., Wednesday, April 6, 1938, on bills in behalf of custodial employees in the Postal Service. Room 213, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of Mr. MALONEY's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Wednesday, April 6, 1938. Business to be considered: Continuation of hearing on S. 1261—through rates.

There will be a meeting of Mr. BULWINKLE's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, April 7, 1938. Business to be considered: Hearings on H. R. 9073—to extend services of the Cape Fear River.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 12, 1938. Business to be considered: Hearing on H. R. 9047—control of venereal diseases, and other kindred bills.

COMMITTEE ON THE PUBLIC LANDS

There will be an executive session of the Committee on the Public Lands, Thursday, April 7, 1938, at 10:30 a. m., in room 328, House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Merchant Marine and Fisheries Committee will hold hearings at 10 a. m. in room 219, House Office Building, on the following bills on the dates indicated:

Tuesday, April 12, 1938:

H. R. 6797. To provide for the establishment, operation, and maintenance of one or more fish-cultural stations in each of the States of Oregon, Washington, and Idaho.

H. R. 8956. To provide for the conservation of the fishery resources of the Columbia River; establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho; and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

S. 2307. To provide for the conservation of the fishery resources of the Columbia River; establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho; and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

Thursday, April 14, 1938:

H. R. 8533. To amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed, title 46, sec. 316).

Tuesday, April 19, 1938:

H. R. 5629. To exempt motorboats less than 21 feet in length not carrying passengers for hire from the act of June 9, 1910, regulating the equipment of motorboats.

H. R. 7089. To require examinations for issuance of motorboat operator's license.

H. R. 8839. To amend laws for preventing collisions of vessels, to regulate equipment of motorboats on the navigable waters of the United States, to regulate inspection and manning of certain motorboats which are not used exclusively for pleasure and those which are not engaged exclusively in the fisheries on inland waters of the United States, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1213. A letter from the Acting Secretary of Treasury, transmitting a proposed bill to amend existing law so as to equalize the allowances for subsistence and quarters of enlisted men of the Army, Navy, Marine Corps, and Coast Guard; to the Committee on Military Affairs.

1214. A letter from the Chairman, Federal Reserve System, transmitting the Twenty-fourth Annual Report of the Federal Reserve System covering operations during the calendar year 1937; to the Committee on Banking and Currency.

1215. A letter from the Acting Comptroller General, transmitting a report requiring the Comptroller General to specially report expenditures and contracts made by any department or establishment in violation of law; to the Committee on Expenditures in the Executive Departments.

1216. A letter from the Secretary of Navy, transmitting the draft of a bill to authorize Lt. Robert M. Morris, United States Navy, to accept the decoration tendered him by the Government of Finland in appreciation of services rendered; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. FADDIS: Committee on Military Affairs. S. 1893. An act to authorize the Secretary of War to furnish certain markers for certain graves; without amendment (Rept. No. 2086). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS: Committee on Military Affairs. S. 3272. An act to clarify the status of pay and allowances under the provisions of the act of September 3, 1919; without amendment (Rept. No. 2087). Referred to the Committee of the Whole House on the state of the Union.

Mr. McREYNOLDS: Committee on Foreign Affairs. House Joint Resolution 636. Joint resolution to authorize an appropriation for the expenses of participation by the United States in the Fourth International Conference on Private Air Law; without amendment (Rept. No. 2092). Referred to the Committee of the Whole House on the state of the Union.

Mr. McREYNOLDS: Committee on Foreign Affairs. H. R. 10085. A bill to authorize the payment of an indemnity to the Norwegian Government in full and final satisfaction of all claims based on the detention and treatment of the crew of the Norwegian steamer *Sagatind* subsequent to the seizure of this vessel by the United States Coast Guard cutter *Seneca* on October 12, 1924; without amendment (Rept. No. 2093). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARTWRIGHT: Committee on Roads. H. R. 10140. A bill to amend the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, and for other purposes; without amendment (Rept. No. 2094). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 5597. A bill for the relief of Luigi Mazza; without amendment (Rept. No. 2080). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 7168. A bill for the relief of Louis Samolski, Rebecca Samolski, and Martin Samolski; without amendment (Rept. No. 2081). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 7357. A bill for the relief of Giovanni Raffa; without amendment (Rept. No. 2082). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 7659. A bill to authorize the cancellation of deportation proceedings in the case of Jacob Tabah, wife Esther, and daughters Bertha, Dora, Rosa, and Angela; without amendment (Rept. No. 2083). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 8591. A bill for the relief of Dymtro or Jim Gural; without amendment (Rept. No. 2084). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 8620. A bill for the relief of Stanislaw Pasko and Ksavery Frances Pasko (nee Fyalowna); without amendment (Rept. No. 2085). Referred to the Committee on the Whole House.

Mr. ROCKEFELLER: Committee on Immigration and Naturalization. H. R. 6537. A bill for the relief of Dario Fernandez; without amendment (Rept. No. 2088). Referred to the Committee of the Whole House.

Mr. ROCKEFELLER: Committee on Immigration and Naturalization. H. R. 6994. A bill for the relief of Alfonso Luigi Tartoglione; without amendment (Rept. No. 2089). Referred to the Committee of the Whole House.

Mr. ROCKEFELLER: Committee on Immigration and Naturalization. H. R. 8415. A bill for the relief of Michele Bove; without amendment (Rept. No. 2090). Referred to the Committee of the Whole House.

Mr. ROCKEFELLER: Committee on Immigration and Naturalization. H. R. 9316. A bill for the relief of Orfeo Pardisei; without amendment (Rept. No. 2091). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FISH: A bill (H. R. 10164) to amend an act for making further and more effectual provisions for the national defense, as amended; to the Committee on Military Affairs.

Also, a bill (H. R. 10165) to amend chapter XXII, of the act of July 9, 1918 (U. S. C., 1934 ed., title 10, sec. 1091), providing for the appointment of two Negro cadets to the United States Military Academy in each year, by the President; to the Committee on Military Affairs.

Also, a bill (H. R. 10166) to amend an act for making further and more effectual provisions for the national defense, as amended; to the Committee on Military Affairs.

By Mr. BERNARD: A bill (H. R. 10167) to provide for a basic-data survey of the power development and natural resources of the northern part of Minnesota; to the Committee on Rivers and Harbors.

By Mr. O'NEILL of New Jersey: A bill (H. R. 10168) to amend the Interstate Commerce Act (pt. II); to the Committee on Interstate and Foreign Commerce.

By Mr. SCOTT: Joint resolution (H. J. Res. 640) to repeal joint resolution to prohibit exportation of arms, ammunition, and implements of war from the United States to Spain; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GREENWOOD: A bill (H. R. 10169) for the relief of Corabell Wuensch, Jackie Lee Wuensch, and Mary Rainbolt; to the Committee on Claims.

By Mr. MAY: A bill (H. R. 10170) granting a pension to Lizzie Collins; to the Committee on Invalid Pensions.

By Mr. SATTERFIELD: A bill (H. R. 10171) to amend the act entitled "An act giving jurisdiction to the Court of Claims to hear and determine the claim of the Butler Lumber Co., Inc."; to the Committee on the Judiciary.

By Mr. VINSON of Georgia: A bill (H. R. 10172) granting a pension to Mary Wyse Benson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4743. By Mr. ANDREWS: Resolution adopted by the Assembly of the State of New York, protesting against enactment of House bill 8327; to the Committee on Rivers and Harbors.

4744. Also, resolution adopted by the Junior Chamber of Commerce of Buffalo, N. Y., urging better air-mail service for Buffalo, N. Y.; to the Committee on the Post Office and Post Roads.

4745. Also, resolution adopted on March 25 by the resolutions committee of the Erie County Industrial Union Council at Buffalo, N. Y., urging increasing of the amount of appropriation for the next fiscal year for public-works program; to the Committee on Appropriations.

4746. By Mr. DIXON: Resolution adopted by the San Antonio Typographical Union and endorsed by the Cincinnati Typographical Union, No. 3, urging Congress to investigate the condition of the newspaper-print stock used by the publishers throughout the United States; to the Committee on the Judiciary.

4747. By Mr. ENGLEBRIGHT: Joint Resolution No. 1 of the California Senate, memorializing Congress in relation to California's opposition to reciprocal-trade agreements, concerning agricultural products; to the Committee on Ways and Means.

4748. Also, Joint Resolution No. 3 of the California Senate, memorializing the Secretary of Agriculture, Henry A. Wallace, not to make any reductions in the number of livestock grazed on the Modoc National Forest; to the Committee on Agriculture.

4749. Also, Joint Resolution No. 4 of the California Senate, memorializing the President and Congress to provide for the maintenance of intercoastal steamship lines between the Atlantic seaboard and the Pacific coast; to the Committee on Merchant Marine and Fisheries.

4750. Also, Joint Resolution No. 6 of the California Senate, urging enactment of House bill 8430, providing for Federal aid in construction of T-tunnel project at San Pedro Harbor; to the Committee on Military Affairs.

4751. By Mr. FORD of California: Resolution of the City Council of Los Angeles, urgently recommending to the Congress of the United States that sufficient funds be provided for such anti-aircraft material and for the training of anti-aircraft troops as shall be recommended by the War Department to provide an adequate national defense; to the Committee on Military Affairs.

4752. By Mr. KRAMER: Resolution of the City Council of Los Angeles, relative to sufficient funds to be provided for such anti-aircraft material, etc.; to the Committee on Appropriations.

4753. By Mr. O'NEILL of New Jersey: Petition of the Senate and General Assembly of the State of New Jersey, requesting the enactment of legislation providing Federal aid for airports; to the Committee on Interstate and Foreign Commerce.

4754. By Mr. PFEIFER: Petition of the Fred Goat Co., Inc., Brooklyn, N. Y., concerning House bill 9259, the compulsory licensing of patents; to the Committee on Patents.

4755. Also, petition of the Assembly of the State of New York, Albany, concerning the Parsons bill (H. R. 8327); to the Committee on Rivers and Harbors.

4756. Also, petition of the National Can Corporation, New York City, opposing the passage of House bill 6323; to the Committee on the Judiciary.

4757. By Mr. RICH: Petition of citizens of Kane, Pa., protesting against the passage of the reorganization bill; to the Committee on Government Organization.

4758. Also, petition of citizens of Mansfield, Pa., protesting against the passage of the reorganization bill; to the Committee on Government Organization.

4759. Also, petition of citizens of Emporium, Pa., protesting against the passage of Senate bill 3331, known as the reorganization bill; to the Committee on Government Organization.

4760. By the SPEAKER: Petition of the Citizens-Taxpayer Association of Westerly, R. I., urging a "Buy American" campaign; to the Committee on Ways and Means.

SENATE

WEDNESDAY, APRIL 6, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 5, 1938, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	King	Pittman
Ashurst	Duffy	La Follette	Pope
Bailey	Ellender	Lee	Radcliffe
Bankhead	Frazier	Lodge	Reames
Barkley	George	Logan	Reynolds
Berry	Gerry	Lonergan	Russell
Bilbo	Gibson	Lundeen	Schwartz
Bone	Gillette	McAdoo	Sheppard
Borah	Glass	McCarran	Shipstead
Bridges	Green	McGill	Smathers
Brown, Mich.	Gulley	McKellar	Thomas, Okla.
Bulkley	Hale	McNary	Thomas, Utah
Bulow	Harrison	Maloney	Townsend
Burke	Hatch	Miller	Truman
Byrd	Hayden	Milton	Tydings
Byrnes	Herring	Minton	Vandenberg
Capper	Hill	Murray	Van Nuys
Caraway	Hitchcock	Neely	Walsh
Clark	Holt	Norris	Wheeler
Connally	Hughes	Nye	White
Copeland	Johnson, Calif.	O'Mahoney	
Davis	Johnson, Colo.	Overton	

Mr. MINTON. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Washington [Mr. SCHWELLENBACH] are detained from the Senate because of illness.

The Senator from New Hampshire [Mr. BROWN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DIETERICH], and the Senator from Florida [Mr. PEPPER] are detained from the Senate on official business.

The Senator from New York [Mr. WAGNER] is absent, attending a meeting of the Constitutional Convention in New York.

The Senator from South Carolina [Mr. SMITH] is detained on official business in his State.

The Senator from Illinois [Mr. LEWIS] is unavoidably detained.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

SPECIAL JOINT CONGRESSIONAL COMMITTEE TO INVESTIGATE TENNESSEE VALLEY AUTHORITY

The VICE PRESIDENT. The Chair lays before the Senate communications from two Senators, which will be read.

The legislative clerk read as follows:

HON. JOHN N. GARNER,
Vice President.

DEAR MR. PRESIDENT: I regret to advise that, for reasons controlling with me, I must decline to serve as a member of the Committee to Investigate the Tennessee Valley Authority.

Most respectfully,

WM. E. BORAH.

UNITED STATES SENATE, April 6, 1938.

HON. JOHN N. GARNER,
Vice President, the Capitol.

MY DEAR MR. PRESIDENT: For the reasons stated yesterday, I ask to be relieved from membership on the special joint congressional committee to make an investigation of the Tennessee Valley Authority.

With sentiments of esteem, I am,

Sincerely and appreciatively yours,

CHAS. L. McNARY.

The VICE PRESIDENT. The Chair appoints the Senator from Kansas [Mr. CAPPER] and the Senator from North Dakota [Mr. FRAZIER] to be members of the special joint congressional committee to fill the vacancies caused by the resignations of the Senator from Idaho [Mr. BORAH] and the Senator from Oregon [Mr. McNARY.]

ARMY DAY PARADE

Mr. SHEPPARD. Mr. President, this afternoon at 1:45 o'clock, the annual Army Day parade will cross the Capitol Plaza, starting its march up Constitution Avenue to culminate in passing in review before the President of the United States at Sixteenth Street and Constitution Avenue. Senators desiring to view the parade may do so from the porch opposite the Senate Chamber.